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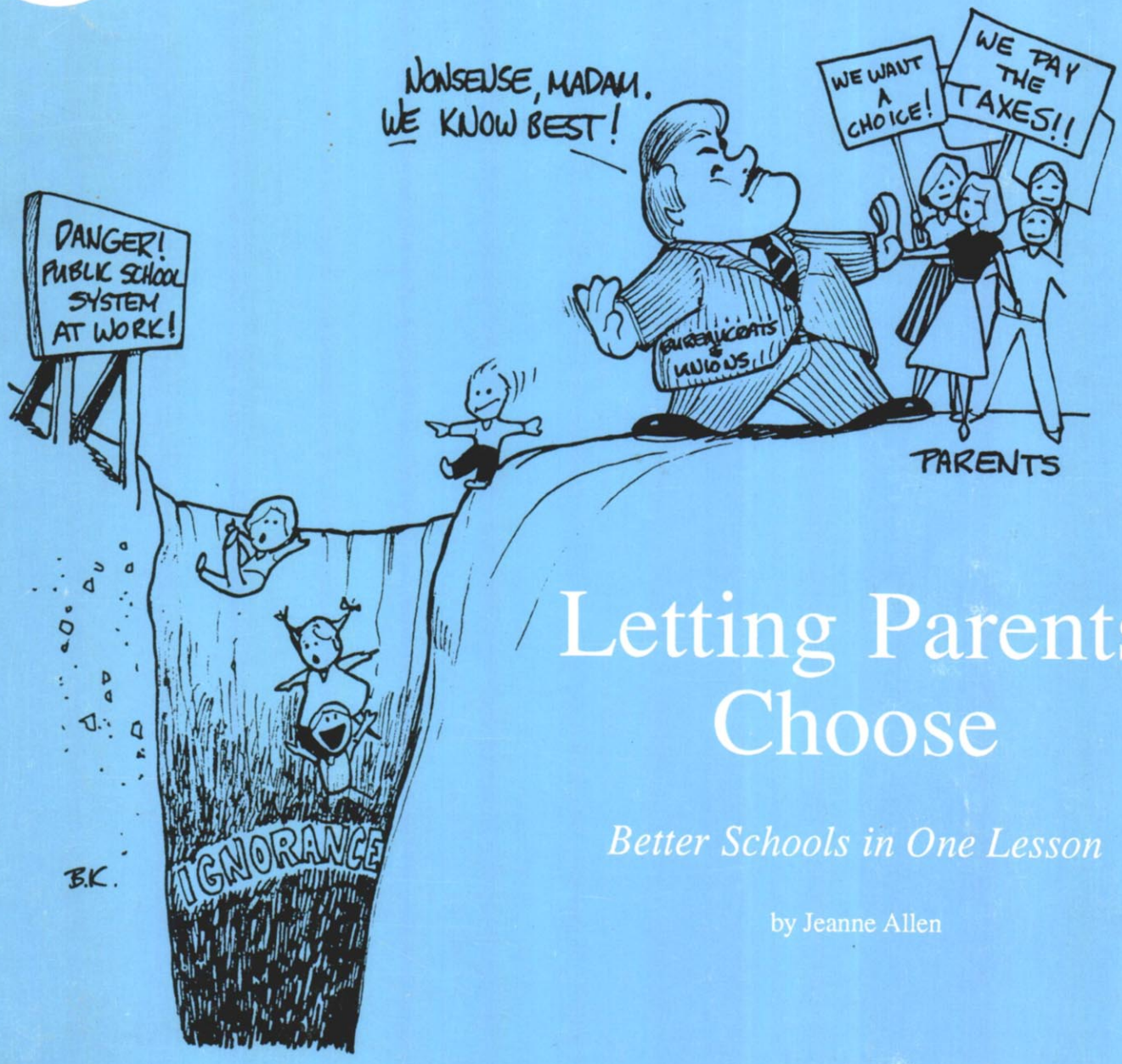

Letting Parents Choose

Better Schools in One Lesson

by Jeanne Allen

Also:

Richmond Schools Chief Walter Marks

Letter to a Political Friend by David Horowitz

G.B. Tennyson's Night At the Theater Turns Ugly

Vol. 1, No. 2 *A Publication of the California Public Policy Foundation* Spring 1990

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California Political Review

Spring 1990

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Correspondence

Sorely Needed

Best of luck in your efforts to launch a magazine dealing with local, state, and national issues from a California perspective. California political journalism sorely needs a conservative voice.

Hon. Ross Johnson
Sacramento

Great title! California politics certainly needs a little CPR.

John Paul Arnerich
Los Angeles

In a world populated by far too many fuzzy-thinking journalists and politicians, it is encouraging to read the Commentary in your Winter 1990 issue. Every word rings with the clarity of crystal. Keep up the good work.

James D. Scott
Knoxville, TN

Conservatives enjoy a host of publications addressing foreign and national issues. We have lacked conservative insights focused at the state level. Your publication is long overdue.

Barry Jantz
San Diego

The Liberals' Regress

Congratulations on the debut of *California Political Review*. "The Liberals' Regress" is an outstanding analysis, which I intend to shove in front of my occasionally left-leaning brother at the first opportunity. Best of luck.

Edward R. Jagels
Kern County District Attorney
Bakersfield

Two hips and a hooray on your inaugural issue, and the fine piece on the failure of liberalism. Alas, liberals still have their hands on the throttle of government. To derail their train, we need our own *perestroika* in California. I hope and expect that *CPR* will not only help to revive Republicans to push on towards true majority governing, but will also help usher in the new thinking that government desperately needs.

Joe Irvin
Sacramento

"policy du jour"

Your last issue's Commentary addressed "the issue that won't go away" — abortion. The error that political issues come and go like clothing fads is at the root of our current failure to have coherent and successful policy on any subject.

Government officials make public relations hay confecting the "policy *du jour*." Equally opportunistic, the media use political issues for entertainment purposes, their political coverage offered in attractive bits between commercial breaks, to dazzle and titillate a jaded public ("TIME makes everything more interesting..."). I recently discussed the *Webster* decision on a seven-minute talk-show segment, sandwiched between a review of bed-and-breakfasts and a great recipe for salmon.

Although for politicans and the media, reality is only "what we are talking about," in fact, real issues don't go away since they are rooted in humanity. The more important an issue is to the survival of humanity, the more urgently and repetitiously it will force itself even upon the unwilling entertainers and their audience.

In the United States alone, we have, since 1973, legally aborted the equivalent of 11 states, and now the yearly worldwide total is 50 million. Even apart from the atrocity aspect, abortion constitutes a catastrophe to the species unparalleled by anything since the Black Plague. That "leaders" wish the issue would go away indicates only that they don't see what they can get out of it. It should also convince us that we need new leaders.

Daniel J. Grimm
Walnut Creek

Hypocritical Colleges

We need more professors like G. B. Tennyson ("But I Know What I Like,"

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California Political Review

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California Chronicles

California Chronicles, a new California Political Review feature, reports on current activities and projects of conservative organizations around the Golden State.

California Republican Assembly
CRA is a statewide conservative Republican volunteer and fund raising organization founded to help elect conservative candidates to public office. It is currently headed by Rick Staats. The *CRA News*, an eight-page quarterly newsletter, is available for $3 annually. Contact: Fred Davis, P.O. Box 19, Tehachapi, CA 93581, 805/821-4202.

California Republican Party
CRP's "Fair Play for the Future," a 12-minute video tape featuring Alex Trebek, provides a provocative look at the devastating effects of gerrymandering. No charge. Contact: Joanne Stabler, 1903 W. Magnolia Bl., Burbank, CA 91506, 818/841-5210.

Capitol Resource Institute
The Institute has expanded its California Family Action Hotline, a 24-hour, 65-cents-per-minute, information line (1-900-226-3400), updated weekly, on state and federal legislation, voter information, and political events relevant to family issues. Contact: Mike Bowman, 1211 H St., Ste. A, Sacramento, CA 95814, 916/444-8445.

The Claremont Institute
Claremont's Asian Studies Center offers *The Asia Column*, a four-page newsletter focusing on U.S.-California ties with the free nations of the Pacific Rim. Claremont's Center for the Study of the Natural Law will publish *Homosexuality and the Natural Law*, a 33-page booklet, expected in June 1990. Contact: Daniel Palm, Dir., Special Projects, 4650 Arrow Highway D6, Montclair, CA 91763, 714/621-5831.

Criminal Justice Legal Foundation
CJLF filed an *amicus* brief in *Harris v. Vasquez*, the 11-plus-year-old death penalty case in which the defendant, Robert Alton Harris, recently was nearly executed but was saved by the last minute stay of a federal judge. (A related interview appears on page 7.) The CJLF brief was filed on behalf of the states of Arizona, Idaho, Nevada, Montana, and Washington. It asked the U.S. 9th Circuit Court of Appeals to implement the procedural reforms contained in *Teague v. Lane*, U.S. Supreme Court, 1989. *Teague* sharply limits the raising of new issues in *habeas corpus* proceedings after the first round of appeals. CJLF's brief, if accepted, would throw out Harris's current claim. Contact: Mike Rushford, 2131 L St., Sacramento, CA 95816, 916/446-0345.

Federalist Society
An organization for conservative and libertarian lawyers, judges, professors, and law students, the Federalist Society publishes the quarterly *Harvard Journal of Law and Public Policy* and the monthly eight-page newsletter *The Federalist Papers*, both included with annual membership dues of $10. The Society sponsors monthly luncheons in Los Angeles featuring prominent experts speaking on critical legal and free market issues. Retired *National Review* publisher and *CPR* contributor William Rusher will address the June meeting. Contact: Mitchell Edwards, P. O. Box 71748, Los Angeles, CA 90071, 213/489-3444.

George Washington Society
Led by Chairman William Allen, former U.S. Civil Rights Commission chairman, and Vice Chairman William Rusher, former publisher of *National Review*, the recently-formed George Washington Society was organized to introduce California conservative activists to one another and to publicize their activities. GWS provides a forum for representatives of conservative groups at bimonthly meetings in Monrovia. Open to the public. Next meeting is scheduled for June 28 at 7 p.m. Contact: Sergio R. Picchio, 15756 La Forge St. #508, P.O. Box 4800, Whittier, CA 90607, 213/698-9675.

Golden State Project
"The Big Green Monster" by GSP Director Steven Hayward appears in the June 1990 issue of *Reason* magazine, about the John Van de Kamp-supported environmental initiative headed for California's November

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ballot. A new pamphlet dealing with California's traffic problems: "The Time is Now for Peak Hour Charges — A Rational Response to Smog and Congestion," by Ward Elliott of Claremont-McKenna colleges (nine pages) is available now from GSP. Contact: Steven Hayward, Dir., 1211 H St., Ste. A, Sacramento, CA 95814, 916/446-7924.

Institute for Contemporary Studies
Due in November, *The Defense Revolution* by Kenneth Adelman, former director of the Arms Control and Disarmament Agency in the Reagan administration and ICS vice president, and Norman Augustine, chairman of Martin-Marietta, $19.95. The Institute's new Center for Self-Governance, founded to train young leaders to work with individuals on self-governance, is producing two books, published by ICS Press: *The Quest for Community*, by Robert Nisbet, available now, 252 pages, $10.95 (*paper*), and, available July 2, *On Liberty and Liberalism: The Case of John Stuart Mill*, by Gertrude Himmelfarb, 384 pages, $10.95 (*paper*). Contact: Lise Gorden, 243 Kearny St., San Francisco, CA 94108, 415/981-5353.

Pacific Legal Foundation
Pacific is the nation's largest and oldest public interest law foundation formed to defend and enhance individual and economic freedom by litigating and participating in administrative proceedings to support the free enterprise system, private property rights, and concepts of limited government. The Foundation publishes a quarterly newsletter, *In Perspective*, conveying information about cases undertaken, progress in ongoing litigation, and major PLF accomplishments. Contact: Linda Hellekson, 2700 Gateway Oaks Dr. #200, Sacramento, CA 95833, 916/641-8888.

Pacific Research Institute
June 28: "The Road Less Traveled — A Market Approach to Urban Mobility," a conference in San Francisco featuring Robert Best, director of CalTrans, Robert Poole, president of the Reason Foundation, and Kenneth Orski, president of the Urban Mobility Corporation, San Francisco. *July 26*: "The Big Green Initiative," a luncheon with Warren Brookes, nationally-known economics writer. *The Yellowstone Primer*, now available for $12.95, edited by John A. Baden and Donald Leal: using the greater Yellowstone ecosystem as a model and free market environmentalism as a guide, the authors propose strategy for resolving the competing concerns that affect National Park and federal lands policy in Yellowstone and throughout the United States. Contact: Pamela A. Riley, 177 Post St., San Francisco, CA 94108, 415/989-0833.

Reason Foundation
September 17-18: "Fresh Thinking on Urban Issues: A Market-Oriented Approach," a conference on growth, is scheduled for the Beverly Hilton hotel in Los Angeles. Two pamphlets: "For a Space-Trade Initiative — A Common Market for Space to Guarantee Free Trade," by James Bennett, vice president of American Rocket Co., (49 pages) and "Public vs. Private: Alternative Ownership Scenarios for Electric Utilities" (30 pages) are available now from Reason. The Foundation's flagship publication, *Reason* magazine — "Free Markets, Free Minds" — published 11 times yearly, provides innovative answers to public policy questions. $15.95. Contact: Kevin Teasley, 2716 Ocean Park Blvd. #1062, Santa Monica, CA 90405, 213/392-0443.

Students for America
This campus organization founded by Sen. Jesse Helms is expanding in California, currently organizing a conservative counterforce to MECHA — Chicano Student Movement for Aslant — a radical campus-based political organization allied with the United Farm Workers Union. SFA has recently begun working with a conservative rock band, introducing students to conservative principles through the band's music. Contact: SFA California Chairman David Knatcal, P.O. Box 8621, Northridge, CA 91327, 805/251-8099.

U.S. Justice Foundation
A pro-rule of law, pro-judicial restraint educational foundation, USJF publishes monographs and carries on research. The Foundation's "ACLU Project" tracks activities of the American Civil Liberties Union, filing *amicus* briefs in opposition to ACLU actions in selected cases. USJF's ACLU research is available upon request. Contact: Gary Kreep, 2091 E. Valley Parkway #1C, Escondido, CA 92027, 619/741-8086. CPR

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Commentary

Separating Good and Evil

The current issue of *Reason* magazine carries an article by *CPR* contributor Steven Hayward, director of the Golden State Project, about Democrat gubernatorial candidate John Van de Kamp's so-called "Big Green" initiative that will appear on the November ballot. The initiative is full of all sorts of costly, irresponsible directives and requirements, fails entirely to take cost-effectiveness into consideration, and creates another powerful statewide government official, the Environmental Advocate, whose various prerogatives and responsibilities seem designed to make him, as Hayward says, "the most powerful officeholder in the state" on environmental policy. By any reasonable measure, as economic policy, as democratic — that is, limited — government policy, and even as environmental policy, the initiative is no less than monumentally idiotic. Somehow, though, no one seems to be opposing it. "Backers of the Big Green ballot initiative are relying on the public's willingness," Hayward writes, "to support any measure that is sold as 'pro-environment,' regardless of its costs."

Regardless of its costs. Actually, of course, if the pollsters asked voters not "are you in favor of protecting the environment even if that means some people will lose their jobs" (to which some 62 percent of voters reportedly say yes), but instead "even if *you* would lose *your* job," the support figures for environmental protection would be lower than the approval ratings enjoyed by Rose Elizabeth Bird. The voters, having relaxed through a decade of conservative government, have lost their fear of economic downturns; they don't believe Big Green threatens *them*, and it is upon this short-sightedness that the con men behind Big Green are relying.

Big Green, like all left-liberal policy proposals, is safe, and most likely popular, as long as it inhabits the realm of moral imagination for most voters, and has not yet crossed over to the point where its manifold stupidities are inflicting discernible pain upon large numbers of people the way, for instance, "civil rights" policy did when it came to mean busing.

It is as *moral* issues, conservatives should take note, that such policy initiatives as Big Green enjoy public support. Moral considerations are at the root of every important political issue, and it is because the left understands this better than its opponents do that it is able to resurrect itself time after time following the disasters that always eventually follow upon the imposition of its policy prescriptions. Conservatives have failed to consolidate the victories won under Ronald Reagan's leadership because the emphasis of their arguments has been misplaced on the practical superiority of conservative ideas when their real strength — and the only strength, in any event, capable of moving large numbers of people — is moral. The left continues to survive and win victories because it offers the human soul a moral cause to which it can give itself. Left morality is as pathetically threadbare and depressing as its policies are foolish, but on the moral plane, unlike the practical, the left is unchallenged. Conservatives will achieve lasting victories when they rediscover and make central to their argument the moral power of conservative convictions.

What are those convictions? They are that the world and human existence in it are essentially good, that life, truth, love, and beauty are all both real and good things, not imaginary, and that the central purpose of human existence is to exercise our freedom to choose these good things, thereby rejecting whatever negates them, specifically: death, lies, hatred, ugliness. Life should be a ceaseless endeavor to know better and to embrace more closely these goods. The conservative premise gives individual freedom central importance. As Solzhenitsyn wrote, "the line separating good and evil runs not through states, nor between classes, nor even between political parties, but right through the center of each human heart. And every human heart." This is the wisdom conservatives seek to conserve. It is also the enduring truth about human life our opponents seek to deny in a thousand ways, through countless strategems, in endlessly varied guises.

For the left, truth, love, and beauty are not objective realities to be sought out, learned about, and adhered to, but subjective states of mind, matters of opinion, matters of personal preference. A venerable dictum holds that while liberals talk a great deal about doing good, what they really care about is feeling good. This is the dividing line between conservatives and our opponents: we assume that goodness is part of reality, that part to which good men conform themselves; for the left, goodness is created in human emotions, is ever-changing, and ultimately imaginary. For them,

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feeling good *is* good, and any suggestion that people should conform to objectively existing moral criteria is rejected as narrow-minded and oppressive. This preference for an infinitely malleable morality, subject only to the concern for good feeling, is the primal glue that holds together every left-leaning mind from David Roberti's to Daniel Ortega's, and every left-inspired cause from "gay rights" to the nuclear freeze to Big Green.

Their morality is elemental: good people respect every individual's right to make up his morality as he goes along, to find what works for him, what makes him feel good. Bad people want to impose their will on others. In its simplicity, left morality provides answers to the eternal difficult questions that nag every human soul: why am I here? how can I justify my existence? where does evil come from? You are here to be at peace with yourself. You justify yourself by promoting this wisdom for everyone to enjoy. Evil comes from those who have so far failed to join the enlightened fold. Humanity is divided in two; the central moral drama within each soul of which Solzhenitsyn wrote is eliminated. The line separating good and evil becomes precisely a line that runs through states, between classes, and between political parties, dividing men from one another, rather than a man's good self from his bad. Doing good means carrying on the blessed crusade to rid the world of those who would impose "their" morality on others.

Hence, the heavy moralistic tone of such initiatives as Big Green. The children of light, innocently communing with good Mother Earth, whose beauty makes for such good feelings, once more take up the sword against the forces of darkness: the profiteers, the polluters, the unreconstructed Neanderthals who would impose filth and disease upon us in their quest for personal gain.

The division of humanity into good and evil camps is human moral sensibility operating as its most primitive level. It assigns moral status with no consistent rule or reason except that one's own people always turn out to be good. Aboriginals tend to worship their own tribe, despising all outsiders. Primitive religions portray their adherents as automatically "saved," unbelievers as irretrievably damned. Racism is also a primitive moral vehicle, dividing good from bad according to color. Hitler did it according to nationality and religion; Marx did it according to class. Liberals use political positions. In every case, specific, individual moral choices are ignored. In every case, the division is absolute. No good comes from the evil camp; no evil done by "good" people is really bad; it is merely misdirected good intentions. In 1975, commenting on Western acceptance of the Soviet Empire and, specifically, of the Soviet invasions of Hungary and Czechoslovakia and of the Berlin Wall, Solzhenitsyn remarked that "no one else would have been forgiven, but Communism can be excused." Specific transgressions don't matter. In left morality, one's general political orientation is the sole measure distinguishing the good from the bad.

HORSEY
©1990 SEATTLE POST-INTELLIGENCER NORTH AMERICA SYNDICATE
IMPOSSIBLE! THEY MUST NOT HAVE COUNTED THE VOTES FROM HOLLYWOOD, BERKELEY, SEATTLE, CAMBRIDGE...
ORTEGA LOSES
SANDINISTAS FAIL
CHAMORRO IN
WEST ELECTION

Certain provisions of Big Green, for instance, have about them more the aura of vendetta than of normal policy-making. Society's evildoers are singled out and given penances: "builders and developers [must] plant one tree for every 500 square feet

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Lawyers versus the Law: the *Harris* Case

PHILLIP E. JOHNSON has been a member of the Boalt Hall School of Law faculty since 1968. *CPR* asked Professor Johnson to comment on Judge John Noonan's ruling that stopped the execution of Robert Alton Harris shortly before it was scheduled to take place.

CPR: What did Judge Noonan say deserved additional consideration in Harris *and why was it not handled during the 12 years of review the case has already seen?*

Johnson: Noonan said he was going to issue a stay so that the full three-judge panel of the Ninth Circuit Court of Appeals could decide whether Harris was entitled to a new trial in which he could present new psychiatric evidence. The basic claim was that tests recently taken have shown organic brain damage which would perhaps make it impossible for him to have premeditated the killing. If that contention were accepted he would not be eligible for the death penalty. According to defense lawyers and Noonan, this claim was not made previously because Harris did not have competent psychiatric assistance at the original trial and he did not have this additional psychiatric assistance until very recently when his current attorneys provided it for him.

CPR: Does this have anything to do with the so-called diminished capacity defense?

Johnson: Yes, apparently it does and one of the ironies of the situation is that at the time Harris was on trial, the prosecution had to show he committed an intentional murder in the course of a felony and psychiatric evidence would be admissable on the question of his intent. Since then, the so-called Briggs initiative eliminated the requirement of proving premeditation from the capital felony murder provision and the ability to use psychiatric evidence has also been greatly reduced.

CPR: Average, non-lawyer citizens see an outrageous contradiction between the law's central purpose — answering the question: did Harris do what is legally punishable by death? — and the actual working of the system. Is this contradiction caused by individual judges and their rulings or is it embedded in the system?

Johnson: The legal mentality generally tends to make procedure an end in itself. We see this outside the area of death penalty cases where often the procedural requirements multiply so drastically that, for example, it becomes practically impossible to fire any incompetent public employee. Lawyers tend to have the view that procedure is costless and there is always a good reason to have another hearing. Something of this attitude perhaps came across in the newspaper accounts of the hearing in the Harris case where Judge Noonan commented unfavorably on the state's claim that 12 years of appeals was enough. He said that was irrelevant. The important thing was to get fair procedure. Sometimes that attitude can swallow up the substance of the problem.

Lawyers tend to have the view that procedure is costless and there is always a good reason to have another hearing.

This is particularly acute in death penalty cases because, as many judges see it, the only really important thing is to insure that nobody is put to death until he has had a completely flawless set of procedural protections. Since it is impossible to provide a flawless set of procedures, this means the penalty will be indefinitely postponed and 10 or 12 years or more of appeals is only to be expected. Members of the public who feel the overriding goal of the legal system should be to enforce the substantive law naturally see this as a case of the tail wagging the dog.

If the death penalty is to be enforced the courts must take a view of acceptable procedure that does not make enforcement, as a practical matter, impossible.

CPR: This is a formula for stopping any procedure. It would stop the functioning of the government; it would stop the functioning of the fire department. This technique — insisting on perfection — was used by opponents of aid to Vietnam to make it impossible to continue helping that ally. Is this another charade using concern for fair trials as a pretense to make death penalty laws unenforceable?

Johnson: I'm sure most judges making these rulings are acting in perfect subjective good faith. They don't see themselves as consciously trying to make executions impossible. But the practical effect of what might be called "super due process" is much the same.

In this connection it is important to understand that the principal argument against the death penalty for the last 20 years has been that the system of criminal justice is so flawed it should not be trusted with the authority to impose a death sentence. So when death penalty opponents find flaws in the system again and again they are simply proving something they believe to be true in principle — that it is impossible to provide anybody with a degree of fairness they believe should be required before the system should be allowed to impose capital punishment. That's a judgment the voters and the Supreme Court majority have emphatically rejected. But a great many people in the legal profession were not reconciled to that situation. They believe that nonetheless very stringent procedural requirements should be imposed even if they have the effect of nullifying the public decision to have a death penalty.

CPR: What happens next?

Johnson: Next there is the hearing before the panel which may or may not decide that Harris is entitled to a new trial and then the losing party before that panel will probably seek review by the full Ninth Circuit. And then of course there

(Please turn to page 31)

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Sacramento Spectator

Dropping the Veil

FROM THE "As If Any More Proof Were Needed" department comes word that the "non-partisan" organizations Common Cause and the National Organization for Whiners — er, make that Women — (NOW) have hopped into bed with the Democrats again. This time it's to oppose the two initiatives on the June ballot that would make it much more difficult for the majority party to gerrymander.

The Democrats have been heavy-handed and ruthless in bludgeoning their vassals around the state into opposing these threats to their continued unrepresentative governance. The threats of punishment from the Democrat leadership for any who dare oppose them on this issue have been open and shameless.

Even more shameless than making the threats, however, is giving in to them. Common Cause and NOW apparently are ready to drop their long pretense of non-partisanship. Their public reasoning for opposing these reforms basically follows the line that "our interests are served by a Democrat majority, no matter how unrepresentative of the state that majority might be. Therfore, any measure meant to threaten that majority must be opposed, even at the price of disenfranchising millions of our fellow citizens." At least the last veil has been dropped by these groups. It will be interesting to see if their acolytes in the media now drop the term "non-partisan" in refering to them. Don't hold your breath.

On the other hand, great credit is due the officers of the League of Women Voters (I know what you're thinking — it's just as great a shock to me to write these words) for their decision to resist the Democrat bullying and remain in support of the reapportionment reform initiatives. The subtle tactics of the Democrats included a remark by Assembly Speaker Willie Brown that the League should get out of politics "and stay in the kitchen where they belong." !!!! Sound sexist to you? Imagine the howling if a Republican had made those remarks? You will, though, have to search far and wide before running across any outraged editorials from the liberal media at the Speaker's remarks. And so far at least, NOW has not gotten around to picketing the Speaker's office.

And speaking of media bias, recall the frenzied flurry of articles trumpeting a new, pro-abortion wave in the state after a special election victory by pro-abortion Republican Patricia Hunter in San Diego. This even though Hunter, the only pro-abortion candidate in the field, received only 30 percent of the Republican vote.

Strange, then, the silence following the most recent special election in the state, that to fill the vacant Senate seat of retiring Bill Campbell. In that election former Assemblyman Frank Hill finished first in the primary to win the nomination. (He subsequently handily defeated the Democrat nominee and is now a senator.) Assemblyman Gil Ferguson, also strongly pro-life, finished a close second to Hill in the primary. Lagging far behind in third place, capturing barely 11 percent of the vote, was Ron Isles, the only pro-abortion candidate in the race. Isles was so convinced of abortion's value as an issue that he made his pro-abortion stance a centerpiece of his campaign, and was thoroughly trounced. The in-depth analysis in the media on this one is yet to appear.

Final add on the media. One of the major problems for many conservatives in supporting the gas-tax initiatives on the June ballot is that a vote for it will be trumpeted by the press as as sign the "Proposition 13 fever" has passed and that the people have voted a *carte blanche* for higher taxes of all sorts. Many Republicans worry that passage of the initiative — being supported by most prominent GOPers including Gov. Duke and Governor-presumptive Wilson — will constantly be used as a post-election club to prove that the people actually want higher taxes. That, of course, would be fallacious, but you can see the editorials.

The freshman Republican making the biggest impression in this Congress is Californian Dana Rohrabacher. Rohrabacher, a veteran of YAF and the Reagan White House, has impressed by being willing to take on high-visibility controversies. His most recent cause was the total de-funding of the National Endowment for the Arts, which resulted in several impressive national television exposures. If the Democrats don't gerrymander him out of a job in 1992, Rohrabacher looks like a budding statewide and national leader for conservatives.

Following a path similar to Rohrabacher's in state government is Orange County state Sen. Ed Royce. Royce, first elected to the Senate in 1982, for a while languished in the shadow of the Proposition 13 class of 1978. He is now emerging fully into his own as a conservative leader. Like Rohrabacher, Royce has done this by showing a willingness to tackle head-on some high-visibility controversies. And also like Rohrabacher, Royce has shown conservatives that there still are elected officials with energy and imagination willing to lead.

For example, Royce has what is probably the most effective minority outreach program of any conservative elected official in California. Even Democrats shake their heads in wonder at his popularity with the Hispanic and Vietnamese communities in his central Orange County district. Royce is playing a key role in solidifying Vietnamese Californians into a permanent Republican constituency and is also making significant gains among Hispanics. Look to both Rohrabacher and Royce as future key conservative leaders of California's GOP. — *A.P.C.*

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of new construction," Hayward writes. Normal business practices, when carried out by the villains, become morally shoddy, more or less by association, and are treated accordingly: Big Green imposes "a 25-cents-a-barrel fee on oil shipped through California." Big Green repeatedly makes its simple-minded moral points with an air of contempt for ordinary fairness, not to mention economic or any other kind of common sense. The initiative has nothing to do with making sensible policy. It exists to make a moral statement justifying the virtuous "Greens" while isolating evil among those foolish enough to oppose them.

Left morality is perverse because it tries to dispose of essential moral questions while evading the difficult step of facing individual moral responsibilities, the responsibilities that arise from the truth Solzhenitsyn observed. Those it assigns to the evil column it considers non-persons, without rights, without dignity, without value, and treats them accordingly. Even worse, however, those who end up in the good column lose their purpose. Morality and, therefore, freedom become meaningless phantasms, hopelessly abstract, endlessly changing, imaginary, lost. The true source of the left's "alienation" is not the imagined oppressiveness of moral responsibility, but the left's flight from it.

Conservatives, we regularly hear, are in search of a new cause. The old one will do fine. It begins within each of us. Its political aspect is the defense of individual freedom and responsibility and of the principles and institutions of government and society consistent with them. This is a job that has no final end.

A Truly Toxic Brew

Reach for the Excedrin: politicians from both parties are pedaling truly toxic brew, in the form of requirements that businesses large and small provide their employees with health insurance.

The mandated health coverage idea has been embraced not just by liberals like Assembly Speaker Willie Brown, but by the moderate-to-conservative Senate Republican leader Ken Maddy and even, at one point, by the Deukmejian administration (until the Duke, under heavy pressure, nixed the plan). Details may differ, but the underlying theme is the same in all these blueprints: force employers to cough up for health costs.

Why would Sen. Maddy and the Deukmejian administration consider doling out such castor oil? Maybe it's because they fear that if they don't come up with a salve for the uninsured, something more toxic will be foisted on us through the initiative process.

That worry is legitimate. Still, these public officials aren't performing any service by trying to split the difference with the proponents of socialized medicine. Instead, they should be challenging the skewed assumptions on which those forces rest their case.

Some key points worth remembering: of the estimated 5.2 million people in California without health insurance, as many as one in four earn more than $30,000, by one estimate. It would seem those people could afford coverage but apparently don't consider it a priority. Fact is, a big percentage of the uninsured are in their robust 20s and have chosen to spend their disposable income on something other than insurance. Is that really a "crisis" requiring heavy-handed trauma care?

Remember, too, that one of the key forces inflating health costs is the third-party payment system, under which insurance and government-subsidy arrangements let people visit hospitals and doctors with minimal concern about cost. Creating a vast net of mandatory insurance would only make the headache worse.

Then there's the effect on the larger economy. The plan that was being considered by the Deukmejian administration might have cost as many as 110,000 jobs, according to the Partnership on Health Care and Employment. Says Chairman Rick Berman, "Forcing people into the program would drive thousands of small businesses into an unprofitable situation."

Such estimates gain weight from the experience in Massachusetts, where Gov. Dukakis's mandated-insurance plan caused such pain to employers that the Legislature finally put it to sleep.

Think about the rights of employees, too. Increasingly, businesses are offering their workers cafeteria benefit plans, under which workers can pick and choose what kinds of coverage they want. Such flexibility goes out the window when government delivers a long list of rigid guidelines.

Fortunately, there are alternatives to such bullying, if lawmakers will investigate options that don't necessarily draw more power to Sacramento or Washington. One way to make insurance more affordable for small businesses would be to trim back some of the many mandated benefits the state already imposes. Also, why not try tax credits for health costs, or health insurance premiums paid by employers or workers? Better to experiment along those lines than resort to a "fix" sure to put small businesses on sick beds. CPR

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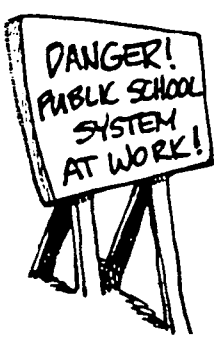
Better Schools in One Lesson:

Letting Parents Choose

by Jeanne Allen

It is perhaps no secret to most Americans that their education system is deeply flawed. Throughout the United States, graduating seniors perform miserably on basic tests of reading, writing, and history. Recent national assessments of a large sample of high school seniors demonstrated that most cannot understand a basic newspaper article, have difficulty with writing to make a point, and lack basic math skills. Still worse, a majority of those tested are not familiar with the Constitution, the Bill of Rights, or basic features of the U.S. government, such as the power of the Congress to tax and the Supreme Court to declare laws unconstitutional.

In the nation's cities, the picture is bleaker. Children are regularly truant, and yet are passed on to the next grade in most cases. The 1983 landmark *Nation at Risk* report led more than half of the states to raise graduation requirements. Other states raised teacher salaries and most reduced class sizes. Yet none of this marginal tinkering has produced significant results.



Parental complacency is partly to blame. U.S. students continue to rank near the bottom in international comparisons of achievement, but parents, when surveyed, show overwhelming approval of their children's performance. As in Garrison Keillor's Lake Wobegon, where every hild is above average, the prevailing attitude seems to be: "My child is doing fine, it's the other children who do so poorly." And states continue to report that students are performing above the national average on standardized tests. In a country where everyone is supposed to be above average, who will be seriously concerned about the quality of education? Of course, the education system only encourages the complacency by excluding parents from any decision-making role and leaving teachers without authority to change the rules.

In a pocket of the country where most fear to go, improvements *are* being made. More than 200 students are performing well above national averages of achievement. They can read and write and few drop out or are truant from school. Parents are an integral part of school policy; student and teacher morale is high. They like going to school every day. The place: East Harlem, New York City. The reason: Educational Choice.

In 1974, this East Harlem school district embarked on a bold plan to give teachers discretion in planning curriculum and parents choices over a variety of diverse schools. The resulting competition among the schools has produced enormous education gains in this inner city district. The results are fascinating. To take but one: graduation rates shot up to more than 90 percent from less than 50 percent. East Harlem's success has boosted community morale, bringing parents and teachers together to work on behalf of their children.

Choice provides benefits in the suburbs as well. In Minnesota, the first site of a statewide open-enrollment plan, competition caused several high schools to increase the number of advanced placement courses offered to challenge upperclassmen. Ohio, Nebraska, Iowa, and Arkansas all followed suit in 1989, enacting statewide open-enrollment, or "choice," laws. Idaho, Utah, and Washington joined them early this year. In each case, state money follows the student, creating bottomline incentives to beef up school programs.

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Richmond, California, shows what can happen when schools become competitive. Superintendent Walter Marks began the process of designing diverse schools of choice in 1987. Richmond's schools had serious problems with student attendance, achievement, and discipline. The results, already coming in, include rising test scores and far fewer discipline problems.[1] Los Angeles's magnet schools show similar gains.

Studies of several cities with choice plans and magnet schools have found that student reading and math scores were above national averages.[2] And a more positive atmosphere exists when students are in a school because they want to be there. "It's an old capitalist idea," observes former East Harlem administrator Sy Fliegel, "that people just treat what they own much better than things that they don't own. So, in our schools, you see very little graffiti, even though they're old buildings...there's a respect. In our schools, you can walk through and bulletin boards will not be touched." A former school board member there said that schools of choice allowed students a "chance to enjoy education...it is so nice when young people really want to get up and go to school."

Choice drives schools to compete and competition is succeeding where other reforms have failed. The reasons are obvious. The current public school bureaucracy offers few incentives to improve. Teachers have no authority over how their classrooms operate, principals are responsible to government employees who have crafted thousands of regulations for them to follow, and parents have no choice over how or where their children are educated. While school systems differ greatly, they do share these common threads of governance: superintendents rule the roost and school boards, no longer representing parents, merely sign off on the superintendents' proposals — proposals usually designed to reflect the views of the local teachers' union and principals' association. But the real power in education, of course, is state government which regulates every aspect of the classroom. States craft curriculum guidelines, course requirements, employment policies, and mandates for spending both local and state money. Parents and other taxpayers, of course, pick up the tab, but no room is left for their input or involvement. Thus straight-jacketed, it's no wonder communities have failed to improve their schools.

Over-centralization really got going during the 1960s' era of progressive education. State governments increasingly took over what had traditionally been local affairs. Parental involvement in local schools became an anomaly because local educators suddenly had no authority to respond to parental concerns. Choice provides a strong incentive to restore authority to local educators because they alone are in a position to know and meet parents' concerns. In the words of one legislator who recently succeeded in pushing a choice bill through her Assembly, "Money is a powerful tool. When your decision is the only decision that counts, principals suddenly want to listen to you." Thus decentralization through, for instance, school-based management, a reform being tested in Chicago where parent-teacher councils run the schools, tends to follow choice.

More than 200 students are performing well above national averages.... student and teacher morale is high. They like going to school every day. The place: East Harlem...

There are those, of course, who would prefer to see parents kept out of the picture. The NAACP and the Urban League oppose choice, ignoring the gains it has produced for minorities, instead contending that it will only promote segregation. They say many parents are not equipped to make choices — the same paternalistic argument heard from the left on child care and welfare, that somehow, because they are disadvantaged, black and Hispanic parents are too ignorant to be trusted to think for themselves. But it is not the parents who are ignorant — the ignorance is in their school systems that have such low expectations for minority youth that few of them are able to progress. Choice presents the only opportunities many disadvantaged kids will ever see for escaping poverty. Fortunately, many low income parents know this and have joined the fight to secure their rights in education.

The National Education Association — the largest

1. For a detailed look at Richmond's parental choice program, see this issue's *Forum* with Superintendent Marks, page 20.

2. *See* Nathan, Joe, editor, *Public Schools by Choice: Expanding Opportunities for Parents, Students, and Teachers* (St. Paul, Minnesota: The Institute for Learning, 1989). *See also*: Raywid, Mary Anne, "The Mounting Case for Schools of Choice," in *Public Schools by Choice*. Others exist.

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political union in the country — and its California counterpart, the California Teachers Association, are solidly against any plans to permit parental choice, believing that teachers alone should make decisions about the schools. Yet they bemoan the lack of parental involvement in the schools. Their definition of involvement is limited to support for school policies and helping make teachers' jobs easier by keeping their kids in line. NEA's official opposition states that no evidence exists to support the contention that choice works, that it is unfair to use children as if they were barter, that education is a complicated process requiring years of training, practice, and research into effective programs, and that choice naïvely assumes that human behavior can be changed at a whim. Finally, they join the NAACP in arguing that choice will cause re-segregation of many school systems because it would allow those awful white parents to take their children out of predominantly (fill in the blank — black, Hispanic) schools.

Unofficially, everyone knows why NEA is opposed — having reached the 2 million membership mark last fall, NEA dominates school policy and wants to continue doing so. The union's political clout, together with that of its state affiliates, overwhelms the school boards, the superintendents in most communities, and many state Legislatures. For NEA, choice is a scary proposition because it gives parents a voice in what happens in the schools. Moreover, it gives them a glimpse of school policies and practices where none existed before. Teachers become accountable to the community. Parents with a choice become powerful parents. That's why NEA opposes choice.

In California, several bills authorizing parental choice have been introduced in the Legislature but are falling hostage to the CTA and its friends, including State Superintendent of Schools Bill Honig. Honig has endorsed choice, but has attempted to build a consensus to limit its scope to district boundaries. CTA wants to limit choice to movement within districts and allow administrators to reject parents' choices. Honig, along with many legislators, has bought the education industry's phony line that competition will not drive schools to do better; instead, they argue that competition may hurt some schools that may be incapable of attracting students. But if a school is so bad that most parents refuse to entrust their children to its care, who is harmed by its closing? Education has faltered because education policies are preserved even if they fail. Honig's misgivings actually supply parents potent fuel in the fight for parental choice. They are a public admission that many schools would fail given the same rules that run the market place.

Many of these concerns are driven by politics. Others are more real, though they are caused by ignorance about choice. Parents, for example, usually support attempts to bring choice to their communities. But some parents are concerned about attracting a "bad element" into their towns. This attitude, although unfortunate, is understandable. Given the investment many families make to secure a nice home and place for their children to attend school, it would be surprising to see them endorsing a program that might allow disruptive or poorly mannered kids into their schools. Racial attitudes also affect the debate. Many liberals advocate choice precisely because it gives minorities better opportunities. As the examples of Harlem, Richmond, and other communities show, they are right. However, concerns about a "bad element" invading the schools, along with those about re-segregation resulting from choice, assume falsely that choice is intended or should be expected to promote movement out of neighborhood schools. Actually, choice isn't supposed to promote such movement, and, in fact, does not promote it.

The purpose of choice is not to make people move their children to another school, but to give them the opportunity to move if they choose. Choice creates the incentives for schools to improve. They need not lose one student if they *do* improve. Those that do not improve must face the consequences; and, yes, some may even be forced to close down. Then the district office might finally give the principal the authority to move bad teachers out and good ones in. Or he may be given wider latitude in designing curriculum or using alternative textbooks. In East Harlem, for example, when choice went into effect two schools were unable to attract enough students to stay open. Both closed down. But then both reopened the next year with revamped and attractive programs. In one of the schools, the

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principal was the primary problem, so the administration moved him out and replaced him with a more effective leader. Within the year, both schools were operating at full capacity.

If choice is so good, why is it not universal? The fault lies with policy makers who have been unable to overcome the powerful opposition the education community wields, and with the people, whose inability to organize effectively has rendered them incapable of persuading their lawmakers to adopt choice. Each of the areas where major restructuring is underway shares one common component: parents, community leaders, office holders, and business formed coalitions that forced lawmakers to adopt changes. Business's lobbying efforts succeeded in getting the Minnesota Legislature to give parents a choice. In Chicago, where local councils run each school, business organized with community coalitions to force the issue in the state capitol. In the Carolinas, business leaders convinced state officials to deregulate the schools. Beginning next year, every school district will be freed from regulatory burdens that impede creativity. These states have lifted restrictions on spending, class sizes, hiring outside of the teaching profession, and creating new programs to address local problems. If the students perform better, the schools will retain their new autonomy. If they do poorly, the state can strap them with the rules again.

The purpose of choice is not to make people move their children....Choice creates the incentives for schools to improve. They need not lose one student if they do *improve.*

These changes would not have occurred without the participation of business. Business can influence policy in ways ordinary citizens cannot. Industries enjoy long-standing alliances with lawmakers and exercise political muscle almost daily on issues that directly affect them. Business can use this leverage to push for reform. More importantly, business can help give a voice to grass roots efforts that already exist. Coalitions of business leaders and civic and community groups working at the local and state levels with supportive lawmakers, strong public policy organizations — state-based conservative think tanks, for instance — and huge numbers of parents have been the driving force wherever education reform has succeeded.

Interestingly, another characteristic of these alliances is that they usually include political liberals, who see choice as a way to spur voluntary school integration, alongside conservatives who support public school choice as a step toward full choice, that is: vouchers. Liberals understand the conservatives' logic, but believe vouchers cannot win as long as public opinion (read: the media) opposes them.

Conservative support for public school choice is not universal. Some conservatives see it as a half-brother to vouchers, a poor substitute for the full choice vouchers and tuition tax credits would provide. The disagreement is tactical, not strategic. All conservatives agree that vouchers and tax credits would provide the best, most realistic "market" accountability possible in education. Agreement about how best to achieve this goal is another matter altogether.

Vouchers, a long-standing conservative goal, allow taxpayers to direct their education tax dollars to whatever school, public or private, the parents choose. Tuition tax credits achieve more or less that same end by providing a small deduction for private school expenses. Both concepts have long enjoyed popular support, which peaked when they were adopted as part of the 1980 Republican National Platform. Throughout the Reagan years, however, they faced stiff opposition from the education lobbies and Congress. By the fifth year of the newly-created Department of Education, conservatives thought Secretary William Bennett would succeed in obtaining a federal voucher and tax credit. His department met several private and religious school groups, creating a groundswell of support and pressure from the grass roots. But after hitting solid opposition in Congress, the coalitions began to break up, their component groups applying pressure individually for a variety of conflicting proposals. Congress turned them away.

The voucher and tax credit cause was severely weak-

(Please turn to page 24)

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Letter to a Political Friend

by
David Horowitz

CPR is publishing this excerpt from Destructive Generation, Second Thoughts About the '60s, *by David Horowitz and Peter Collier, to mark the appearance of the book's paperback edition, now available from Summit Books. Each author contributed an individual biographical sketch to the book. The following is taken from Horowitz' chapter.*

Dear M _____,

I'm sorry it has taken me so long to answer your letter. When I returned to California after my father's funeral, I spent a long time thinking about what happened during that weekend in New York. I thought about my phone call to you on Friday after I came back from the cemetery; how I had invited you to the memorial service we had planned for Sunday at my mother's house; how you had said you would come and how comforting that felt; how our conversation had turned to politics and changed into an argument, and our voices had become angry; how I had begun to feel invisible, and how the loneliness this caused in me became so intense I said we should stop; and how, when we could not stop, I hung up.

I thought about my feelings when you did not call back that day or the next; and when you did not come to my father's memorial on Sunday as you had said you would. I thought about the plane ride back home, when I began to realize how deep the wound in our friendship had become.

I thought about how our friendship had begun nearly half a century before at the Sunnyside Progressive Nursery School — so long in memory that I have no image of a life without it. In the community of the Left, it is perfectly normal to erase the intimacies of a lifetime over political differences. On the long plane ride home, it occurred to me that I might never hear from you again.

And then, a week after my return, your letter arrived in the mail. You were sorry, you said, about the way our phone call ended. *Because of our common heritage* [you said] *the personal and the political cannot really be separated*. Your words reminded me of the "Khrushchev divorces" of 1956 — the 20-year marriages in our parents' generation that ended in disputes between the partners over the "correct" political position to take toward his secret report on the crimes of Stalin. As though a political idea defined their reality.

But then, as though a political idea defined our reality too, your letter suddenly forgot about what had happened between us as friends and reopened the wound to resume the argument.

Dear David,

I was sorry that your call ended the way it did. It was not my idea to get into a political argument, but apparently you had a need to provoke it. I would have preferred to talk more about personal matters. But because of our common heritage, the personal and the political cannot really be separated. And that is why I can't help thinking that the views you now hold are psychological rather than intellectual in origin.

I want to add some things to clarify my position. I still consider myself part of the Left, but my views have changed significantly over the years. I haven't been a Stalinist since I visited the Soviet Union in 1957, when I was nineteen. After that, like you, I became part of the New Left. I no longer consider the Soviet Union a model for the socialist future. But after all the garbage has been left behind, I do hold certain basic tenets from my old Left background. The first is that there are classes, and the rich

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are not on the same side as the rest of us. They exploit. The second is that I am still a socialist. I still believe in theory socialism is better than capitalism. If it has not worked so far, it is because it has not really been tried.

What concerns me about you is that you have lost the compassion and humanism which motivated our parents to make their original choice. There can be no other explanation for your support of the vile policies of Ronald Reagan. Except that you are operating from an emotional position which surpasses rational thinking. Also, by assuming that because you are no longer "left" you must be "right," you appear to be lacking a capacity to tolerate ambiguity; and the real world is indeed ambiguous. Why do you feel the need to jump on establishment bandwagons? I assume they are paying you well for your efforts.

Your old (one of the oldest) friend,
M _____

The wound in our friendship is really a mirror of the wound that a political faith has inflicted on our lives: the wounds that political lives like ours have inflicted on our times.

Let me begin with a concession. It is probably correct of you to blame me for our argument. *Apparently you had a need to provoke it.* I probably did. I had just buried a father, whose politics was the most important passion in his life. Political ideas provided the only truths he considered worth knowing, and the only patrimony he thought worth giving. When I was 17 and had political ideas of my own for the first time, politics made us strangers. The year was 1956. My father and I were one of the Khrushchev divorces.

We never actually stopped speaking to each other.

But the distance was there just the same. After I had my own children and understood him better, I learned to avoid the areas where our conflicts flourished. I was even able to make a "separate peace," accepting him as the father he was rather than fighting to make him the one I wanted him to be. But he never was able to make the same peace with me. In all those 30 years that were left to us after I left home, there was not a day I was not aware of the line that politics had drawn between us, not a day that I did not feel how alien my ideas made me to him.

After five decades of social effort, there was not a single footprint to show that they had really lived in our little 10-block neighborhood.

Emotions of grief and mourning make a perverse chemistry. If I provoked you to attack me on my father's burial day, perhaps I had a need for it; to do battle with the ideas that in ways and at times seemed more important to him than I was; to resume the combat that was his strongest emotional connection to other human beings and to me. Perhaps I thought I could resurrect his ghost in you, one of my oldest and dearest friends, who despite "all the garbage" you have left behind remain true enough to the faith of our fathers to act as his stand-in.

I don't mean to excuse my provocation, but only to remind you of what you forgot in your political passion that evening and in the silence that followed. Me. David. An old friend in need. I had been obliterated by a political idea. I felt like those ideological enemies of the past whom Stalin had made into "unpersons" by erasing the memory of who they had been. Which is what happened to my father at his own memorial that Sunday you did not come.

For nearly 50 years our parents' little colony of "progressives" had lived in the same 10-block neighborhood of Sunnyside in Queens. And for 50 years their political faith had set them apart from everyone else. They inhabited Sunnyside like a race of aliens — in the community but never of it; in cultural and psychological exile. They lived in a state of permanent hostility not only to the Sunnyside community but to every other community that touched them, including America itself.

The only community to which they belonged was one that existed in their minds: the international community

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of the progressive Idea. Otherwise, they lived as internal exiles, waiting for the time when they would be able to go home. "Home," to them, was not a place somewhere other than Sunnyside and America; "home" was a *time* in the future when the Sunnyside and America they knew would no longer exist. No compromise with their home ground could put an end to their exile; only a wave of destruction that would sweep away the institutions and traditions of the communities around them and allow the international community of the progressive Idea to rise up in their place.

To my father and his comrades, the fantasy of this future was more important than the reality around them. All the activities of the Sunnyside progressives — the political meetings they attended five and six nights a week, the organizations they formed, the causes they promoted — were solely to serve their revolutionary Idea. The result was that after five decades of social effort, there was not a single footprint to show that they had really lived in our little 10-block neighborhood. When my father's life came to its close, he was buried as a stranger in the community where he had spent his last 50 years.

My father lived the sinister irony that lies at the heart of our common heritage: The very humanity that is the alleged object of its "compassion" is a humanity it holds in contempt. This irony defined my father's attitude toward the people around him, beginning with those who were closest — the heirs of his Jewish heritage, whose community center he would never be part of and whose synagogue he would never enter. Every Friday night his own mother still lit the *Shabbat* candles, but as a progressive he had left such "superstitions" behind. To my father, the traditions his fellow Jews still cherished as the ark of their survival were but a final episode in the woeful history of human bondage, age-old chains of ignorance and oppression from which they would soon be set free. With the members of the real communities around him, my father was unable to enjoy the fraternity of equals based on mutual respect....

On Sunday, the last of my father's surviving comrades assembled in my mother's living room for the memorial. No ceremony had been planned, just a gathering of friends. Those present had known my father — some of them for more than 50 years — with the special intimacy of comrades who shared the scars of a common battleground, lifetime cohabitants in a community of exiles.

I could remember meetings when the same room had reverberated with their political arguments in the past. But now that the time had come to speak of my father's memory, they were strangely inarticulate, mute. As though they were unequal to the task before them: to remember my father as a man.

My father was a man of modest achievements. His only real marks were the ones he made in the lives of the individuals he touched. The ones who were there now. The memories of the people who had gathered in my mother's living room were practically the only traces of my father left on this earth. But when they finally began to speak, what they said was this: *Your father was a man who tried his best to make the world a better place...your father was a man who was a teacher to others...your father was a man who was socially conscious; progressive...who made a contribution.*

And that was all they said. People who had known my father since before I was born, who had been his comrades and intimate friends, could not really remember him. All that was memorable to them in the life my father had lived — all that was real — were the elements that conformed to their progressive Idea. My father's life was invisible to the only people who had ever been close enough to see who he was.

The obliteration of my father's life at his own memorial is the real meaning of what you call "our common heritage."

Our common heritage. Such a precious evasion. Our common heritage was totalitarianism, was it not? Our parents and their comrades were members of the Communist Party, were they not? Your need for this Orwellian phrase is revealing. It can hardly be for the benefit of an old comrade like me. In fact, its camouflage is for you. "Our common heritage" betrays your need to be insulated from your own reality — the reality of your totalitarian faith.

I'm sure this charge upsets you. In your own mind, the only elements that survive of our heritage are the innocent ones: *I haven't been a Stalinist since I visited the Soviet Union in 1957, when I was 19....I no longer consider the Soviet Union a model for the socialist future*. But what Leftists who are able to enjoy the pri-

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vileges of *bourgeois* democracy in the West think of themselves as Stalinists anymore, or the Soviet Union as a socialist model? Such vulgar convictions are reserved for the revolutionary heroes of the Third World, who actually wield the power — the Vietnamese and Cuban and Nicaraguan comrades — to whom you and other left-wing sophisticates pledge your loyalties and faith. *They* are Stalinists even if you are not.

Not an intention, but a totalitarian *faith* is what creates the common bond between revolutionary cynics like Stalin and Fidel and the Sandinista *comandantes* and progressive believers like yourself.

Totalitarianism is the possession of reality by a political Idea — the Idea of the socialist kingdom of heaven on earth, the redemption of humanity by political force. To radical believers, this Idea is so beautiful it is like God Himself. It provides the meaning of a radical life. It is the solution that makes everything possible; it is the end that justifies every regrettable means. Belief in the kingdom of socialist heaven is the faith that transforms vice into virtue, lies into truth, evil into good. For in the revolutionary religion, the Way, the Truth, and the Life of salvation lie not with God above but with men below — ruthless, brutal, venal men — on whom the faith confers the power of gods. There is no mystery in the transformation of the socialist paradise into Communist hell: Liberation theology is a Satanic creed.

Totalitarianism is the crushing of ordinary, intractable, human reality by a political Idea. Totalitarianism is what my father's funeral and your letter are about....

What concerns me about you is that you have lost the compassion and humanism which motivated our parents to make their original choice.

You say their *original choice*. Another Orwellian evasion. Their "original choice" was Communism, was it not? Our parents were idolators in the church of a mass murderer named Joseph Stalin. They were not moralists but Marxist-Leninists. For them, the Revolution *was* morality (and beauty and truth as well). For them, compassion outside the Revolution was mere *bourgeois* sentimentality. How could you forget this? Compassion is not what inspired our parents' political choices. Nor is compassion what inspired the Left to which you and I both belonged — the *New Left*, which forgot the people it liberated in Indochina once their murderers and oppressors were red, which never gave a thought to the Cubans it helped to bury alive in Castro's jails, which is still indifferent to the genocides of Marxist conquest: the fate of the Cambodias and Tibets and Afghanistans.

Compassion is not what motivates the Left, which is oblivious to the human suffering its generations have caused. What motivates the Left is the totalitarian Idea: the Idea that is more important than reality itself. What motivates the Left is the Idea of the future in which everything is changed, everything *transcended*. The future in which the present is already *annihilated*; in which its reality no longer exists.

What motivates the Left is an Idea whose true consciousness is this: Everything human is alien.

What motivates the Left is an Idea whose true consciousness is this: *Everything human is alien*. Because everything that is flesh-and-blood humanity is only the disposable past. This is the consciousness that makes mass murderers of well-intentioned humanists and earnest progressives, the Hegelian liberators of the socialist cause....You and I and our parents were totalitarians in democratic America. The democratic *fact* of America prevented us from committing the atrocities willed by our faith. Impotence was our only innocence. In struggles all over the world, we pledged our faith and gave our support to the perpetrators of the totalitarian deed. Our solidarity with them, like the crimes they committed, was justified in the name of the revolutionary Idea. Our capabilities were different. Our passion was the same....

After 1956, I joined in the first attempts to create a New Left in America, and for nearly 20 years I was part of the efforts to make it a reality. But eventually I realized that our efforts had failed. I gave up my political activities and embarked on a quest to understand why. When it was over, I saw that what we had dreamed in 1956 was not really possible. I saw that the problem of the Left did not lie in sociopathic leaders like Stalin or Castro, who had perverted the revolutionary Ideal. It was the revolutionary Ideal that perverted the Left.

Because you knew me from the beginning, you were aware of the road I had traveled, the connection between what I had lived through and what I had come to believe. No matter how different the traveler appeared at the end of the journey, you were a witness to his

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true identity. To the reality he had lived. But it is clear now that this reality — *my* reality — is something you no longer want to know. You prefer to erase me instead. It is not unlike the erasure of my father's truth that occurred at his memorial service.

Let me tell you some things — things you once knew but have tried to forget about the person you accuse now of being unable to cope with real-life complexity, of responding to the loss of one ideological certainty by reflexively embracing its opposite.

In the winter of 1974, the Panthers murdered Betty Van Patter and ended my career in the Left.

The formative experience of my politics was the shattering of the Old Left's illusions by the Khrushchev Report and the events of 1956. You and I were 17 at the time, now suddenly suspended between a political past that was no longer possible and a future that was uncertain. Our parents' political faith had been exposed as a monstrous lie. It was impossible for us to be "Left" in the way they had been. But I did not assume therefore that I had to be "Right." I swore I would never be part of another nightmare like theirs. But I didn't want to give up their beautiful Idea. So I joined the others in our generation who were setting out to rescue the Idea from the taint of the past and create a Left that was new.

In the years that followed, I could always be seen in the ranks of the New Left, standing alongside my radical comrades. But in all those years, there was a part of me that was always alone. I was alone because I never stopped thinking about the ambiguous legacy we all had inherited. I was alone because it was a legacy that my New Left comrades had already decided to forget.

It was as though the radicals who came to politics in the '60s generation wanted to think of themselves as having been born without parents. As though they wanted to erase the bad memory of what had happened to their dream when it had become reality in the Soviet past. To them, the Soviet Union was "not a model" for the revolutionary future, but it was also not a warning of a revolutionary fate. It was — in the phrase of the time — "irrelevant."

All during the '60s, I wrestled with the troubling legacies that my comrades ignored....But I deferred my doubts to what I saw at the time as a more pressing issue — the issue of America's anti-Communist war in Vietnam. Opposing the war was a moral obligation that in my mind took precedence over all other political tasks. The prospect of revolution, which was the focus of my doubts, was a reality remote by comparison....

But then the war came to an end, and my doubts could no longer be deferred. The revolutionaries we had supported in Indochina were revealed in victory as conquerors and oppressors: millions were summarily slaughtered; new wars of aggression were launched; the small freedoms that had existed before were quickly extinguished; the poverty of the peoples increased. In Asia, a new empire expanded as a result of our efforts and over the peoples of Laos and Cambodia and South Vietnam fell the familiar darkness of a totalitarian night....

But even before history had run its course in Vietnam, the refuge I had reserved for myself all these years in the Left had already been cruelly destroyed. The murder of an innocent woman by people whom the New Left had celebrated as revolutionary heroes, and whom I had considered my political comrades, finally showed me how blind I had been made by my radical faith.

The murder was committed by the leaders of the Black Panther Party. Throughout the '60s, I had kept my distance not only from the Panthers but from all the Leninists and their self-appointed vanguards. But at the same time, I shared the reasoning that made gangs like the Panthers part of the Left. According to this logic, the Panthers were "primitive rebels" who had become "politically aware" as a result of the "struggle" and had left their criminal past behind. By the same reasoning, their crimes were not something shameful but "pre-political" rebellions against their oppression as blacks. I accepted this logic for the same reason everyone else did, because it was the most basic tenet of our radical faith: Reality was defined by politics and could be changed by political ideas....

In 1973, I began a project with the Panthers to create a Community Learning Center in the heart of the East Oakland ghetto.

I allowed myself to be persuaded by the Panthers that they did not intend to use the Center as a Panther enclave but to turn it over to the ghetto community as a model of what good intentions could do. And I had persuaded myself that my intentions in working with

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the Panthers to accomplish this end were truly modest: to help the people in the community it would serve. But looking back afterward, I could see that my intentions were not modest at all. Every aspect of what I did was informed by the revolutionary Idea. That was the bond that connected me to the Panthers in the first place. That was what made what we were going to do resonate with the socialist future. That was what made me so ready to trust intentions I should not have trusted and to forget the violent realities of the Panthers' past. That was what inspired me to ignore the surface betrayals of character that provided warnings to others but were dismissed by me as the legacies of an oppression that radical politics would overcome.

So I raised the necessary funds and bought a church facility in East Oakland to house a school for 150 children. I organized technical support systems and teacher training programs and a variety of community services for the Center, and I found a bookkeeper named Betty Van Patter to keep its accounts.

In the winter of 1974, the Panthers murdered Betty Van Patter and ended my career in the Left. I suspected, and was later told by the Panthers, that they had committed the crime. There were others in the Left who suspected them too, people who knew that Betty was not the only person the Panthers had killed.

The Panthers were (as they had always been) a criminal gang extorting the ghetto. But as a vanguard of the Left, they were a far more dangerous gang than before, when they had simply been street toughs without any other pretense. Whenever the police accused the Panthers of criminal activity, the Left responded with cries of "racism" and "fascist repression," defending their innocence in the same way that the Left in our parents' generation had defended the innocence of Stalin. For the Left, the facts were not what mattered. What mattered was the revolutionary Idea.

It was a familiar pattern: the cynical exploiters of the revolutionary cause; the faithful defenders of the revolutionary name; the "political" silences that erased the truth; the blindness of believers like you and me. The legacy that I had tried so hard to leave by joining the New Left had now become the very center of my life....

I had come to the last step in my political journey, which was to give up the progressive Idea — the fantasy of a future that made us so blind.

Why was this Idea so hard to give up? Since 1917, perhaps one hundred million people had been killed by socialist revolutionaries in power; the socialisms they created had all resulted in new forms of despotism and social oppression, and an imperialism even more ruthless than those of the past. But the weight of this evidence had failed to convince us. We were able to hold on to our faith by rejecting this experience as a valid test. The ugly socialism of record, we explained to ourselves, was not "really" socialism. It was not our *Idea*. (*If it has not worked so far, it is because it has not really been tried . . . in theory socialism is better than capitalism . . . I still believe . . .*) If there was any validity to the Idea at all to give up on it seemed an unthinkable betrayal, like turning one's back on humanity itself.

And so the last question I came to ask was whether there was any reality to the socialist Idea....

My search finally ended when I was visited by a British New Leftist who had been one of my earliest mentors. In the days when we were all setting out on our journey, Ralph Miliband had guided me in my first encounters with the troubling legacies of the radical past....After we caught up on the years that had passed, I told him about the crisis I had reached.... [that] I didn't see how I could justify a commitment to a political movement with a history like the Left's, which was dedicated to destroying society without a viable

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Forum

Walter Marks is Superintendent of the Richmond, California, Unified School District, which has instituted district-wide open enrollment, allowing parents to choose among several widely varying curriculums for their children. This issue's lead article, Jeanne Allen's "Letting Parents Choose," is a comprehensive look at the educational "choice" movement in America.

***California Political Review**: How were students being taught in the Richmond school district when you arrived in 1988 and how were they performing?*

Marks: The school district was, I imagine, like most in California with a standard reading, writing, and arithmetic curriculum, following the state department of education's framework in the core area — not very innovative.

For years the district had low test scores, always in the bottom five of the big urban districts. We had a huge dropout rate, about 32 percent a year. SAT scores were going down almost every year. The year before I arrived there were 27,000 days of instruction lost to student suspensions in the district. Also, like most urban districts, Richmond was struggling financially. It still continues to struggle in that regard.

Since then, we've reduced the dropout rate by seven to eight percent per year. Our Achievement Test scores are going up now beyond the state averages in almost every grade where the program has been implemented. Attendance is up 14 percent at the secondary level and student suspensions are down by two-thirds, to about 8,000 days per year.

***CPR**: What changes did you make and to what degree can you attribute the improvement to them?*

Marks: It's so new we've only had this program in full operation now in half the schools one year. We have 48 schools and we have converted 46 of them to a choice plan.

***CPR**: How do you define "choice"?*

Marks: We restructure the curriculum in the schools along the lines of different philosophical models. We have Montessori schools. We have what we call future schools, also international studies, gifted-talented schools, classical studies, university lab schools, and so on. We designed the gifted-talented elementary schools to be like high schools: the kids change classes, they select courses at various levels all the way from enrichment courses to advanced level courses. They give a heavy orientation in the arts, music, drama, and dance. The future schools emphasize technology and environmental studies. The international studies school teaches five languages and study in various cultures. An arts program in our international studies school, for instance, would be oriented toward the different cultures the students are studying. We have a new program for at-risk kids offering 12 options for them to choose from to find what fits their needs best.

We've added computers. Before, the district had almost none. Now we have nearly 3,000 computers because we believe kids learn from technology. It is hard to tell which one of these changes is leading to the improvement but they are all part of the choice system.

***CPR**: The basic idea behind the choice systems is that allowing parents to select their kids' school will create competition among the schools, spurring them to improve. You seem to have gone into far more than that.*

Marks: Yes, because I don't think we will improve education just by telling kids to go to any school they want to without changing what is going to occur when the kids get there. The only way you are going to do that is to offer different programs that excite kids, get them motivated, make them come to school and keep them there. We can't do it with the same old teaching methods and the same old curriculum we've been using. Our feeling is: make every school a good

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school; make every school acceptable to the parents.

During the last 25 years we have seen a variety of ideas about how schools should operate. We went through the era when people criticized the frills and wanted to get rid of them, so art, music, drama, and dance were taken out, especially in California. Other people said let's go back to basics: reading, writing, and arithmetic. Others thought Montessori models were the best. All of these ideas have something to offer depending upon the needs of the youngsters and their parents. I have 10 children of my own. They've gone through all of our models. I have a little girl in a classical studies school. She wants to go to a gifted-talented school where she can take drama, music, and art. That is what fits her needs best and fits our needs best as parents. That is what we believe choice should be. We have more than 4,000 parents choosing among different schools based on their curriculum.

Creative innovation is encouraged when principals try to get people to come to their schools rather than simply knowing they must come no matter what.

***CPR**: Are your key objectives to increase parents' interest in their children's education and the enthusiasm of students and teachers?*

Marks: Parental involvement is absolutely crucial. Motivation of students is crucial. A broad-based curriculum that educates kids in different languages and different cultures, uses technology, and especially uses the arts in heavy doses is what we are after...

***CPR**: Those are the means, but your objective is the motivation and the involvement, right?*

Marks: Yes. When I, as a parent, choose a school, whether it is private, parochial or public, and my child and I together go to that school, first of all I am going to participate more, I am going to believe that what is occurring in that school is better for me because I have chosen it.

On the other side, we have 13 gifted-talented elementary schools, which means we have 13 principals trying to convince their clients they've got the best gifted-talented school in the district. Another principal has a future school and is trying to convince parents that what those five future schools are doing is the best. Creative innovation is encouraged when principals are trying to get people to come to their schools rather than simply knowing they are assigned to the school and must come no matter what. That is absolutely crucial. That's where the competition comes in in our system.

***CPR**: Is there a danger of losing content? About a year ago, in an article in the Wall Street Journal, education specialist James S. Coleman wrote that during the 1960s and '70s students were given far more freedom than they had had in the past to select courses. "As choice by students proliferated," Coleman wrote, "... foreign languages shrank to a shadow of the curriculum, while college-preparatory mathematics, physics, and chemistry went into a less steep decline. These unpopular subjects were replaced by film making, mystery novels, and other courses that had the appeal of little homework...minimal demands on analytical skills, and some connection to popular culture." Does your program run the risk of similarly encouraging a decline in the content of education?*

Marks: The pendulum in American education tends to swing to extremes. We go either with a curriculum full of junk or we go back to a curriculum that has nothing in it but the basics. In Richmond, we avoid both extremes. We have a core curriculum in every school that requires kids to take science, math, language arts, and social science every day. Then we add specialty courses, many of which are academic. Even in the specialty curriculum, we find the academic courses are chosen more than non-academic courses. But there *is* a period in the day when a youngster can take art or music or drama or additional science, additional math, a foreign language, computers, and so on. But we don't find that the kids are taking more of the soft courses than the hard ones — we find just the opposite is the case.

You see, I'm not new at this; I implemented this model in Montclair, New Jersey, 15 years ago, and then we did it in North Carolina – it has been in place there for about seven or eight years – and now we're doing it here.

An educational testing service has evaluated the Montclair model twice and the University of North Carolina at Chapel Hill has just finished their evaluation of the Raleigh, North Carolina, model. The evalu-

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ations show that what we are doing is producing results in two other districts, one very large and one with 7,000 students. It will produce here as well.

***CPR**: Two arguments against parental choice in education are, first, that it could lead to racial resegregation and, second, that it will bring about what is called "creaming" — well-off schools take the best students leaving difficult ones behind. What does your experience tell you about the validity of these criticisms?*

Marks: Like anything else, they could be valid criticisms if you don't plan well, but if you *do* plan well those things don't have to happen. In the three systems I just mentioned we were dealing with desegregation plans: a voluntary plan in Montclair, a voluntary plan in North Carolina, expressly designed to integrate the schools, and a voluntary plan here. A newspaper just did a study on Richmond and found that out of 26 schools, we've improved the racial balance of 19 of them in the last 18 months. If you don't plan up front knowing that is a possible problem, you are going to have a problem. But put your choice plan together so that it freezes levels of integration and my experience over the years has been that segregation won't occur.

***CPR**: When you tell parents they can send their kids to this or that school but that it is going to be integrated, does that result in white flight to the private system?*

Marks: It never has in any system I have put in yet. In fact, we have attracted back more than 600 kids from parochial and private schools since we started this plan in Richmond. We want to be competitive. We think kids in the public system should have schools they are as proud of as they would be of private or parochial schools. Now there will always be some people who, for whatever reason, choose a private or parochial school education over the public schools. That's up to them. I am not going to try to change that. What I am trying to do is design a school that will compete with the best. That's what we've tried to do in all the systems I've worked in and we've not had white flight. In fact, in Montclair we put schools in the black areas and people said the white kids would never go. But we reached 105 percent of our racial balance quota within the first year of the program. The same thing is occurring here.

***CPR**: What about the so-called "creaming" problem?*

Marks: The creaming issue is also one you have to watch. Magnet schools tend to do that and magnet schools tend to attract kids whose parents know most about the system, know what they want, and know how to make the system work for them. They tend to be higher-achieving kids. Here, however, it's not nearly the problem that it is when you have magnet schools.

***CPR**: What makes the difference?*

Marks: We are not putting all our goodies or marbles in one, two, or 10 schools in the district. We are upgrading every school so parents will stay.

***CPR**: One might expect educational choice to mean kids jumping all over the district. But apparently that need not be the case, correct?*

Marks: That's right. The only ones who move are those who don't like the particular approach in their neighborhood school. For example, if I don't like the classical studies, "back-to-basics" school in my neighborhood, then I would pick a school that teaches in ways that are more to my liking. We want people to choose their school on that basis, rather than making their choice thinking about good schools versus bad schools.

***CPR**: Doesn't all this still cost quite a bit of money?*

Marks: It costs money. Don't let anybody kid you. If you do what we are doing, it's going to cost dollars.

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***CPR**: Is it realistic on a larger basis? Richmond has attracted significant charitable support to help pay for your programs. How much of that is because you are seen as experimental or pioneering? If everybody tried to do it, would the community respond as well?*

Marks: We went to corporate America. We put a funding and development department in to go after dollars from various government agencies, foundations, and so on. We raised, last year, about $10 million in outside money. My feeling is that there is not a community that can't do this. They may not want to do it at the level of complexity we're operating at in Richmond, but you don't have to do it that way. You can do it like East Harlem. You can do it on a smaller basis. There are a million ways to do it. People who have creative and innovative ideas can always go out and find ways to fund it.

***CPR**: Isn't that the essence of the whole thing — the creativity and freedom you offer, whatever the funding level?*

Marks: I think it's the vision, the leadership, and commitment that drives any good educational innovation. We are struggling in some areas unbelievably, but we also are doing quite well in other areas. The issue is always how to create a new vision to solve the problem areas.

***CPR**: Would you say you can begin to make at least some of the improvements even if school districts remain at their current funding level?*

Marks: Absolutely. It may be necessary to get *some* more money, but we did the initial plan here with no new money. We did 23 schools with no additional dollars. We went into our own budget and looked at ways we were not spending money well. We came up with $3 million to implement the first phase of this program. Any district in the state can do that.

***CPR**: Where else in California is choice being tried?*

Marks: I'm not sure anyone is doing it to this degree. There are districts doing magnet schools: San Diego has some. So has San Jose. A few schools around the state are choice schools but probably no one in the country has done quite the restructuring we've undertaken in Richmond.

***CPR**: Did Richmond have to obtain special permission from the state to make these changes? What authority do districts have to make such changes on their own?*

Marks: We went to Sacramento and talked to the proper authorities in the areas we wanted to make the changes. They never stopped us at all. We've had tremendous support from the state Department of Education. My feeling is Dr. Honig would allow that for any district to do what we've done.

***CPR**: Is special legislation necessary?*

Marks: Legislation always encourages — if you put a little incentive in it with a few dollars, more people will do it than otherwise. Most of us superintendents are trying to find a way to balance the budget. We are a district like that. We could go under any day. So you are not going to find a lot of people picking it up and doing it without some legislation that gives some incentive.

***CPR**: If people in a particular district like what you are doing and want to copy it, how should they proceed? Whose support should they enlist to make this happen?*

Marks: You must have a school board that will rock with you through the waves and see you down the road a piece. I don't mean for one year. I'm talking about two to three, maybe four years. If you have a superintendent who wants to do it, who is really committed to it and a school board that is just as committed, then it can work. But with all the problems you run into with teachers and unions and parents and everybody's idea of how to improve education, with all the laws and regulations you have to fight, if you don't have those two bodies together it's just not going to happen.

***CPR**: But you need more than that, do you not?*

Marks: Someone has to have the vision to go out and market the program, to get the community and the teachers behind the plan — but that's the process. There is a difference between policy and process. First of all, you have to establish a lot of new policy and it's the school board's and superintendent's role to do that.

Anyone who wants to give educational choice a try should give us a call. We'll share the negative and the positive results of the program we've put together in Richmond. CPR

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Letting Parents Choose

(Continued from page 13)

ened because many Americans never understood the voucher concept. Since religious groups were its most vigorous lobbyists, and the NEA and education groups their foremost opponents, many Americans, prompted by the unions and the news media, came to view vouchers as aid to religious schools and, thus, as anti-public school. Americans have always supported public education despite its failings and would not support an idea that seemed hostile to public schools or as providing aid to religious institutions. Of course, vouchers are not about aid to religious schools, but about letting people send their hard-earned money to the school of their choice, religious or otherwise. But this argument did not reach the voters whose misperceptions on the issue finally defeated vouchers and tax credits at the federal level.

Meanwhile, however, recommendations to pursue choice plans in the states began to appear. Reformers argued that state plans would be more viable and less easily challenged by church-state separationists.[3] In 1986, the nation's governors released *A Time for Results*, a report endorsing systemic changes in education such as opening up the teaching field to qualified professionals *and* open-enrollment, or choice plans, in the public sector. The debate began to take shape again, this time emphasizing choice. Avoiding the "V" word, reformers talk about choice generally, advocating a variety of plans, including statewide choice, magnet schools, and postsecondary enrollment options that allow high school juniors and seniors to take courses at local colleges. The political climate has again become pro-educational choice.

Refocusing the dialogue on the issue of choice has been critical. Choice is not radical, un-American or anti-public school. It *is* an essential component of American democracy. In education, it means less bureaucracy, more parental involvement (another reason many liberals support it), and more authority given to local schools to make decisions about hiring teachers, funding programs, and how best to teach their students. Where choice is tried, it quickly becomes evident that people have widely varying needs and interests that school districts accommodate by providing diversity in the schools. The diversity is not a prerequisite, but a logical result of schools vying for "consumer" attention.

In California, Republican Assembly members Marian LaFollette, Charles Bader, and Charles Quackenbush, and Republican Sen. Bill Leonard have introduced legislation empowering parents to choose schools. The most comprehensive of these proposals, introduced by Quakenbush and Leonard, would require the governing bodies of each district to adopt "open-enrollment" policies as a condition of receiving state education funds. In the first phase of implementation, beginning in 1991, parents would be entitled to choose among schools anywhere within their districts. The second phase, beginning in 1992, would bring open-enrollment across district lines. Parents would be entitled to choose among schools statewide. The plan limits a parent's choice only if there is no room at the receiving school or if the choice would upset state-mandated racial balances. In Minnesota, under a similar plan, more than 80 percent of parents have received their first choice of schools, and all but a few have received their second choice.

The LaFollette and Bader bills limit parental choice to schools within individual districts, the version of choice Superintendent Honig has endorsed. The California Teachers Association would limit choice further, making it optional for districts to allow their parents to choose. This, of course, while retaining the appearance of choice, fails to make the critical transfer of power to parents — the change that makes choice work. In fact, almost every state already allows local districts to provide choices, but few school boards or administrators have initiated the policy voluntarily.

In any case, although Honig might persuade CTA to temper its opposition to district-wide parental choice, true competition requires statewide choice. Local schools operate according to thousands of rules and dictates enforced at the local district office. Only if the *district* risks losing pupils, and the money that follows them, can significant change reasonably be expected to occur.

These dynamics of the issue are not fully understood even by some proponents of educational choice. Assemblyman Bader, a moderate Republican, and Honig announced February 8 that they, one, supported choice for parents, but, two, are backing a bill that entitles school districts to deny parental requests to change their children's school. Unlike choice plans working in other states, this legislation would require parents to apply for a transfer and entitle districts to deny their requests. Authority remains entirely the bureaucrats' domain. The media, as usual, has added to the confusion. An article in the *Sacramento Bee* claims the Bader/Honig bill guarantees parents the right to choose a school anywhere in the state without adding that the schools also have the right to deny any parent access to any school for any reason.

In California, winning educational choice is complicated not only by obtuse reporting, but also by the sheer size of the state, the number of people involved in policy making, and California's enormous population that makes building a grass roots consensus on any one issue extremely difficult. Opponents of full, statewide parental choice wield considerable power. Besides Honig, the education community, and CTA, the state's major metropolitan school systems, such as Los Angeles and San Francisco, are entirely unionized. These local unions oppose choice. Also, California's universities and academic research centers (such as the Rand Corporation) exert extensive influence that is decidedly anti-educational choice.

Despite such powerful opposition, most Californians support

3. Congress's enactment of legislation requiring all private institutions directly or indirectly receiving federal funds to adhere to federal regulations — the reversal of the Supreme Court's decision in *Grove City v. Bell* — also supports the wisdom of refocusing on the states.

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choice, as recent Gallup polls and other surveys demonstrate. The seeds of a successful coalition are present. Political victory in California most likely depends upon winning the support of the governor. The governors in each of the five states that adopted choice were supportive, if not always out front on the issue. Once community and business pressure was brought to bear on lawmakers in these states, the battle was nearly over.

In California, however, Republican Gov. George Deukmejian is unusually lukewarm about educational choice. Deukmejian's concerns are largely fiscal. His aides say he is worried about the costs that may be incurred by transporting students across district lines. But although most states allow a transportation allowance for needy students, many have been able to meet the additional needs by revamping, not increasing, state budgets. And in some instances business has contributed some of the start-up costs, a wiser investment than adopting schools and throwing popcorn parties for successful schools.

Choice initiatives need not require significant additional funding and could well save money in the long run. Organizations dependent upon the consumer for their livelihood make cost-effective decisions. Just as private schools must spend money efficiently to attract students, public schools accountable directly to taxpayers will run a tight ship. Also, an abundance of research dispels the myth that increased spending means better education.

In any event, as a lame duck, even if he wanted to try, Deukmejian would find it difficult to mount a successful fight for educational choice so late in his administration. Sen. Pete Wilson, on the other hand, could make it a centerpiece of his current campaign to succeed the Duke as governor, building formidable political momentum that, should he be elected, would translate into a mandate to pass educational choice legislation early in a first Wilson administration.

So far, though, the senator has limited his campaign's education rhetoric to promising new programs designed to garner support in the education establishment, such as a possible guarantee that all 4-year-olds would attend pre-school. Wilson is on record in favor of choice but, for the time being, he will not endorse state-wide open-enrollment, and would probably fall in behind Honig and Bader on limiting its scope. Wilson seems to believe that education leaders will support him so long as his proposals resemble theirs. And, in fact, some educators have praised him for his "courage" in outlining plans that provide pre-natal care and more pre-school. Opposition to choice, however, is largely limited to education establishment interests. Wilson stands to win far greater support by reaching out to the people of California by supporting educational choice. If he does, it could put the Golden State over the top for choice.

Since choice relies upon the same principles that make good business sense, it is not surprising that California's top business leaders support it. Last year, a California Business Roundtable report, *Restructuring California Schools, Strategies for the 1990s*, appeared, advocating parental choice, a greater role for parents in deciding how schools are run, and a less centralized education bureaucracy. The Roundtable's education task force, now headed by Pacific Telesis Chief Executive Sam Ginn, is committed to pressuring lawmakers to support these reforms. Although Ginn and his task force are solidly behind choice and accountability in the schools, some of its members are new to the education policy arena and may prove overly willing to compromise with the education establishment to produce "consensus." Parent-Teacher Associations, principals' associations, and the NEA are courting many California business leaders, praising their efforts one moment while spending millions to combat them the next. Business leaders would be wise to remember that Honig's support for choice appears lukewarm, and that he knows he must back some form of choice to retain the voter support he will need to run for higher office, or even to keep his current job. Business leaders should explore the motives of their education friends further before jumping to build consensus where no basis for it exists.

The key to better education is restoring parents and their children to the center of the education equation through parental choice coupled with sufficiently enhanced authority at local schools to allow them to meet the demands that parents, given choice, will begin to make. As other states have shown, if the people embrace a statewide agenda for choice, forming coalitions to support it including business, political, and community leaders, political success will most likely follow and, then, genuine progress toward improved education will at last begin. CPR

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Letter to a Political Friend

(Continued from page 19)

plan for what would come next. I was still ready, I said, to oppose injustices wherever I perceived them, but I could not be part of a movement that would not examine its goals.

When I was finished, I waited for an answer....the answer I had been looking for all along. The one that would say: *David, you are not as alone as you think. The experiences of these years since we all began have indeed shown that the crisis of the socialist Idea is the crisis of the Left itself. If this crisis can't be resolved, if socialism is not a viable future, then our radicalism is really nothing more than a nihilistic passion and the Left a totalitarian force. But there is another possibility. The possibility that answers can be found, that a viable conception of socialism will result: a new agenda for the radical forces and a renewal of the radical hope. Ours may be a small contingent in the radical ranks, but the consequences of failure are too great for us to give up without trying.*

If my old teacher had answered me like this, perhaps the illusion would have been given new life. But when I was finished, Ralph Miliband said: "David, if those are your priorities, you are no longer a man of the Left." What my old teacher had told me was that the Left was really a community of faith and that I was no longer part of it.

My conversation with Ralph Miliband occurred sometime in the summer of 1979. I did not then leap to the right side of the political spectrum but waited another five years before casting a vote for Ronald Reagan and the policies that you consider so "vile." During that time and for 24 years previous, I had lived in the teeth of political ambiguity — never free from doubts about the Left yet never feeling I had to resolve my doubts by embracing the views of the opposite side. Your image of me not only denies the meanings of my life but actually reverses them.

And finally misunderstands them. If I had to label the perspective my experience has given me, I would call it "conservative." And would mean by that respect for the accumulated wisdom of human traditions; regard for the ordinary realities of human lives; distrust of optimism based on human reason; caution in the face of tragedies past. Conservatism is not the other side of the coin of radicalism, any more than skepticism is the mirror of faith. I have not exchanged one ideology for another; I have freed myself from the chains of an Idea.

Why was my freedom so hard to win? Why is the Idea so difficult to give up? When I asked myself these questions afterward, I realized that to do so had seemed to me, at the time, like giving up something I could not do without — hope itself. Life without the Idea of the socialist future felt to me like life without meaning. It was then that I realized that the reason the Idea is so hard to give up is that a radical faith is like any other faith: It is a matter not of politics but of self.

The moment I gave up my radical beliefs was the moment I had to look at myself for the very first time. At *me*. As I really was — not suspended above everyone else as an avatar of their future salvation but standing beside them as an equal, as one of *them*. Not one whom History had chosen for its vanguard but a speck of ordinary human dust. I had to look at the life ahead of me no longer guided and buoyed by a redeeming purpose, no longer justified by a missionary faith. Just a drop in the flow to the common oblivion. Mortal, insignificant, inconceivably small.

Marx was a rabbi after all. The revolutionary Idea is a religious consolation for earthly defeat. For the Jews of our Sunnyside heritage, it is the consolation for internal exile; the comfort and support for marginal life. A passage home. Belief in the Idea is the deception of self that made people like my father and you and me feel real....

My father was the only male child of poor immigrants who could not speak English and who were as fearful of the strange world they had come to as of the one they had fled. His own father had failed as a provider, and when my father was still only a child, he realized the family had already placed its fate in his hands. From that time until his death, he felt like a man treading in water that was over his head with the shore forever out of sight.

At the age of 19, my father found a means to support his parents and a life raft for himself in a job teaching English to other immigrant youngsters at Seward Park High School on the Lower East Side. But until he was 30, he continued to live in his parents' apartment, and his own life remained dangerously adrift. Clarity entered my father's life through the Communist Party and the socialist Idea. The moment he joined the Party, he felt himself touch the shore of a landmass that circled the globe and extended into the future itself. As a soldier in the Party's vanguard and a prophet of its truth, my father gained wisdom and power beyond his faculty, and finally achieved what his own father had not, his self-esteem as a man.

But in the memorials of his comrades there was no mention at all of the Party that had given my father so great a gift. It was like a secret they all were keeping from themselves. And my father would have wanted them to keep their secret. Because he had a secret too.

My father had left the Communist Party more than 30 years before.

It was only toward the end of his life that my father felt able to tell me his secret, and then in a voice full of emotion and pain, as if it had all not happened so many years past. The events had taken place in 1953, when I was 14 and my father was approaching 50 (which is my age now). The anti-Communist crusade of the early cold war was reaching its height, and my father was about to lose the first life raft that had kept him afloat. For 29 years he had remained a teacher of English at the same high school on the Lower East Side, but now a new law had been passed that barred Communists from his lifetime vocation.

In the ordinary business of his life outside politics, my father had remained timid like his father before him, clinging all that

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time to his very first job. But in the drama of history that he now entered, my father was the tall man his faith had made him. He was ready to stand up to his inquisitors and bear the blows they were about to give him. To defend his Party and its cause, my father was even ready to give up his raft of survival and to swim for the first time in uncharted seas. It should have been my father's moment of glory, but instead it became his hour of shame.

For "political reasons," the Party had decided that my father would not be allowed to make his stand as a man on trial for his political beliefs. Instead he would have to defend himself as the victim of an "anti-Semitic" campaign. All my father's pride as a man lay in the cause that he had joined, in the fact that he had reached the shores of progressive light and had left his Jewish ghetto behind. Even in the best of circumstances, the lie that the Party now required would have been excruciating for a man of my father's tempers. But when the court of history called him to account, there was no place for my father to hide.

When his moment came, my father followed the Party line, as he always had done. In his moment of glory, my father colluded in his own public humiliation and was fired as a Communist from his only profession, protesting his rights as a Jew.

When my father was betrayed by the Party he loved, he was forced to look at the truth. The Party was everything to him, but to the Party he was nothing at all. His faith in the Party had not really given him power; it had only made him a political pawn. The secret my father could only reveal to me late in his life was the terrible truth he had seen.

The truth made it impossible for my father ever to go back, but he did not have the strength to go forward. He could not leave (any more than you can leave) the faith that was the center of his life. It was a dilemma my father resolved (as you do) with a strategic retreat. He quietly left the Party that had betrayed him, but he kept his political faith. He was never again active in a political way, but every day of the 30 years he had left, he loyally read the Communist press and defended the Party line....

The immediate intent of my father's deceit was to conceal the reality of his political cause — its casual inhumanities and devious methods, its relentless betrayal even of its own. But the real purpose of my father's deception was to avoid the reality that made his faith necessary in the first place, that makes the Idea so hard to give up. The reality my father could not confront was his own.

It is the same with you. When you deny my reality for a political Idea, what you really don't want to confront is your own. *I assume they are paying you well for your efforts.* Can you really think I sold out my faith for money? How can you, who know the price I had to pay for what I have learned, point such an accusing finger at me? Only if you feel so deprived in your own life that your words really mean this: *I am not being paid well for mine.*

The rich are not on the same side as the rest of us. They exploit. The radical truth (which is your truth still) is the *class war* of the social apocalypse, the war that divides humanity into the "Haves" who exploit and the "Have Nots" who are oppressed, into those who are paid well for their efforts and those who are denied, into the Unjust and the Just, into *their* side and *ours*. The radical truth is the permanent war that observes no truth and respects no law, whose aim is to destroy the only world we know.

This is the "compassionate" cause that makes radicals superior to ordinary humanity and transforms the rest of us into "class enemies" and unpersons and objects of contempt.

Take a careful look at what you still believe, because it is a mirror of the dark center of the radical heart: not compassion but resentment — the envious whine of *have not* and *want*; not the longing for justice but the desire for revenge; not a quest for peace but a call to arms. It is war that feeds the true radical passions, which are not altruism and love but nihilism and hate.

The farcical surfaces of the political divorces over the Khrushchev Report masked a deeper reality of human pain. Consider what terrors of loneliness inhabit the hearts of people whose humanity must express itself as a political construction. Consider what passions accumulate in such unsatisfied souls.

This is the poisoned well of the radical heart: the displacement of real emotions into political fantasies; the rejection of present communities for a future illusion; the denial of flesh-and-blood human beings for an Idea of humanity that is more important than humanity itself. This is the problem of "our common heritage," as you so delicately name it, and it is our problem as well.

Your old friend and ex-comrade,
David

CPR

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Criticus

Trafalgar Square is Unwell

G. B. Tennyson

AS MARCH in London went out in proper proverbial fashion like a lamb, warm, mild, and fleecy with clouds, I found myself caught up in the Trafalgar Square anti-poll tax riot. Not once but three or four times, depending on how one chooses to count my brief encounters with the revolting masses.

The first time was about 2:30 or 3 in the afternoon, as I made my way by foot across Trafalgar Square, having been forced out at Piccadilly from the bus that would have taken me round the Square and into the Strand, from which I could have walked a half block to my lodging in Northumberland Avenue, which itself leads from the river to Trafalgar Square. Instead, I had a much longer walk that took me at angles across the Square, moving against the general flow. In the Square the crowds, though already sizeable, were still gathering and still reasonably well behaved, even if in my view already projecting a somewhat sinister air. Was it the militant-looking mothers pushing babes in strollers bedecked with signs like "Hampstead Housewives Against the Poll Tax"? Was it the substantial intermixture of what looked like punk rock fans on their way to a concert at Wembley? Was it that all of them seemed to cast disapproving glares at my clutch of Harrods and Liberty shoppping bags as symbols of capitalist consumerism? Whatever it was, it was no good omen. I moved swiftly across the Square and down Northumberland Avenue to safety.

My second encounter came an hour and a half later, after I had deposited the signs of shopping extravagance at my room and had dressed in jacket and tie for a late Saturday matinee. The play was the comic hit *Jeffrey Bernard is Unwell*. Seeing and hearing the increasing numbers passing on the street below, I realized that I could not possibly obtain a taxi or any sort of public transportation to get me to Shaftesbury Avenue, that I would have to walk. So be it. It was a mile or two, but I could observe the festivities *en route*.

By now an enormous crowd was surging from the Embankment up Northumberland Avenue towards Trafalgar Square and from many other streets that led to the Square. I had not thought the poll tax had undone so many, I mused. One especially repellent younger couple, hair greasy and stringy, both tattooed, he shirtless, she as good as the same, both with arms linked with those of a little girl about six or seven, presumably their daughter, went roistering by, all three chanting blaringly and without cease, "F--- Thatcher! F--- Thatcher!" What an edifying early memory that will be for the Little Miss, thought I. But it did mind me to remove my tie and slip it quietly into a pocket and to let my jacket hang open in a rather feeble effort to fall in with the spirit of the multitude.

PERHAPS BECAUSE of my newfound, would-be proletarian garb, or perhaps because I was now walking in the same direction as the crowd and had no telltale shopping bags, this second encounter was less uncomfortable. On the other hand, the air of menace from the crowd was far stronger; for by now the numbers were larger (next day's estimates put the crowd at 40,000), the militant types were more in evidence, tensions were heightened, the air of something about to happen was palpable. What was occurring, I suppose, was that mob psychology was beginning to take over, and anyone who has ever experienced the phenomenon knows that it can be felt in the air as surely as rain from heaven. It was at any rate moist enough for me to want to terminate encounter two as soon as possible.

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Well, I made it through the rabble and to the theater, but it took some artful dodging round about the Strand, St. Martin's Lane, and Charing Cross Road. As we sat in the theater watching the engaging monologue-like performance of Tom Conti (successor to Peter O'Toole, who had created the role based on the real-life, irreverent, hard-drinking chronicler of the mores of the denizens of Soho, as recounted in his wry weekly column in *The Spectator*), the real riot was actually underway and was whirling on outside. By the time the play was over, the worst of the canaille had fanned out from Trafalgar Square and was rampaging generally through the West End, very much including Shaftesbury Avenue with its string of theaters. They were overturning and setting cars ablaze and attacking "smartly dressed" theater-goers, as the right-thinking newspapers observed the next day. Obviously my intuition about that tie was not far wrong. I had restored it upon reaching the theater, of course, and did not know that perhaps it was now time to retire it again.

BUT THE management of the Apollo Theater was going to deny me any further direct encounter with the mob, though I do count this one as number three. An unflappable representative of the theater appeared on stage after the last curtain call and announced: "I'm terribly sorry, but there is a disturbance in the road outside, so for your safety we have locked the doors of the theater and request that you remain in your seats until we inform you that it is safe to venture out." We contemplated that for a few minutes, not quite certain what to do, then obligingly the same gentleman reappeared on the stage to tell us that the stalls bar had just reopened for our convenience while we waited. Thank God for Jeffrey Bernard! What other play would have inspired such consideration?

A half-hour or so later, we were permitted out onto a packed, traffic-clogged Shaftesbury Avenue two-deep in policemen. A reassuring sight when one is smartly dressed, I can tell you. Also, Providence was still in good working order: our friend who was to pick us up by car in front of the theater actually drove up, despaired of ever finding us, but having been delayed so long by traffic that he arrived just as we were released. He too denied me further encounter with the riot by spiriting us through Jeffrey Bernard's darkest Soho, with its maze of streets unfit for posturing rioters, and eventually out and miles west to Chelsea. Thus ended encounter three.

I WAS to have encounter four — or is it three-and-a-half? — much later that evening when I was returned to Northumberland Avenue still blocked off though empty and safe enough for walking. I took the occasion to walk back to Trafalgar Square itself, beckoned by the alluring blue lights flashing from the service vehicles. There I found the clean-up crews washing down the streets while the fire brigade continued to poke about in smoldering ruins of scaffolding that had been set afire, all under the sombre eyes of the police still standing guard. Their presence emboldened me to walk along the Strand and even to look in on Charing Cross Station, now bestrewn with derelicts and what looked like the drunken (drugged?) remains of such as my couple with the little girl, she or her equivalent now asleep in the arms, tattooed with a peace symbol, of the slattern mother. What was Little Miss dreaming now?

THE QUESTION that always arises in these cases and that certainly arose and was aired in the press the next day is the venerable one — *cui bono*? The usual culprits were cited: the Militant Tendency in the Labour Party, the Socialist Workers Party, the Anarchists, and so on; in fact, that same folk that we could once conveniently call the International Communist Conspiracy. And rightly so, I have no doubt. But the question that interested me rather more, having seen so much of the crowd close up, is, what is the culture, the mind-set, that provides such a hospitable environment for these agitators and *agents provocateurs*? Where is it bred? Whence cometh its sustenance? Why is it invariably left-wing?

In *Jeffrey Bernard is Unwell*, the eponymous hero manages to flay all sorts and conditions of men, but none deserve his scorn more than the company of do-gooders and self-righteous reformers he stigmatizes as "*Guardian* readers." For those who don't know what that means, read Hampstead Housewives, limosine liberals, champagne socialists, and all that ilk. Gratifying to learn from the papers the next day that some of the casualties of the rioting were those very do-gooders, *Guardian* readers, Hampstead Housewives, and, one hopes, hippie parents; for flying bricks and glass cannot tell do-gooders from the simply good, many of whom were properly in the theater, wearing neckties, and drinking up a storm with a very well Jeffrey Bernard. CPR

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BOOKS

Ruminating With Nixon

In The Arena, by Richard M. Nixon, Simon and Schuster, 384 pp., $21.95. Reviewed by William E. Saracino.

THE DUST cover of Richard Nixon's new book calls it "the most personal, profound, and revealing memoir ever written by a major political figure." Well, as the saying goes, two out of three isn't bad. The book is personal, and at some points profound. It will be revealing, however, only to those who are unfamiliar with most of Nixon's career.

The book is at its weakest when it covers ground that has already been well trod both in the press and in Nixon's previous books. Do we really need another explanation of what happened during Watergate or why he decided to pursue the opening to China? Happily, these and other well-worn topics represent only a small part of the book.

The meat of the book consists of short, conversational-style chapters on a wide ranging series of subjects. All the chapters are fairly short and cover a spectrum of topics from "peaks and valleys" to "family," "teachers," "temperance," "geopolitics," and "silence." Nixon admits he broke his long-standing habit of writing, rewriting, and editing all of his work on a yellow pad for this endeavour. Instead, he dictated the bulk of the text. You can tell, and the book is better because of it.

READING *IN the Arena* is more like spending several hours listening to Dick Nixon ruminate on life and the world than reading a political memoir. And all but the most jaded of Nixon-haters will have to admit that such a session would be fascinating. He shows an easy, comfortable grasp of all the topics covered.

On Watergate, while there are no new revelations, he does make the telling point that he was playing by the rules of engagement as he found them upon taking office and that the Democrats had used for decades. While not shying away from his own mistakes, he does also acknowledge that the press and Democrats were completing a political vendetta that had gone on for 25 years.

The irrational hatred he inspires in some quarters can be explained, Nixon says, in two words: Hiss and Vietnam.

In another portion of the book he alludes to this vendetta and the irrational hatred he inspires in some quarters. It can be explained, Nixon says, in two words: Hiss and Vietnam. The hard left and the media never forgave him for proving them wrong about Alger Hiss's Communist sympathies. The New Left and the media never forgave him for proving them wrong about Vietnam. (It is easy to forget that when Nixon left office, the Vietnam war had been won — on *our* terms. The Democrat congressional Class of '74, which cut off aid to South Vietnam, resucitated the moribund North Vietnamese war effort.)

Mainly though, this is Nixon at his relaxed best, bouncing from topic to topic, one time humorous, one time profound, but almost always interesting and cogent.

HE REVEALS that shortly after the pardon, he almost died during his surgery for phlebitis. At one point, according to his doctor, his blood pressure fell to 60 over zero. He also speaks in moving terms about his depression and despair after that surgery, and "not having anything to fight (live) for." He quotes Winston Churchill during that great man's wilderness years fighting his own "Black Dog" — depression: "here I am, discarded, cast away, marooned, rejected, and disliked." Although the similarity is striking, Nixon is no Churchill, and does not claim to be. His point is to emphasize the resilience of the human spirit and the wisdom of hope by showing the capability of grand events and occurrences to follow upon the heels of the darkest moments.

In an indirect defense of the Reagan years against the caterwauling "decade of greed, decade of greed" chant heard regularly from the Mesdames LaFarges in the media, he observes that "while greed is not good, wealth is." Our choice, he continues, is: "do we attempt to ration scarcity or do we attempt to increase abundance?"

NIXON ALSO lands a direct hit on our counter-culturists when he notes that the "smarmy retrospectives" in the media on Woodstock's 20th anniversary failed to note its "only enduring legacy — the glorification of illegal drugs."

Overall, the Richard Nixon that emerges in this book is not only "tanned, rested, and ready," he is

William E. Saracino is deputy director of the California Department of Commerce.

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also relaxed, knowledgeable, and in command. One can only imagine the untold thousands of Nixon-haters around the country that this drives to carpet-chewing frenzies. And that, frankly, is part of the charm both of the man and the book.

NIXON NEVER had as strong a hold on conservative loyalties as when he was under attack from the left and their media allies. To paraphrase W.C. Fields, any man hated by Jane Fonda and Sam Donaldson can't be all bad.

The other charm of the man and the book is that in an era of blow-dried Ken dolls passing for elected officials, Richard Nixon is the real thing. He has been "in the arena" for more than 40 years now. He has not ducked many fights and, consequently, has been bloodied and bruised. Yet he never gave up. As a result, his experience and insight make him our most distinguished "senior statesman," one whose advice, whether one agrees with it or not, should always be taken seriously by those who seek to participate "in the arena," even those who do so only as voters and citizens. CPR

Correspondence

(Continued from page 2)

CPR, Winter 1990) to show the hypocrisy of our colleges. Growing up in the United States, I believed I was free to do or say what I felt, moderated by the ethical norms my religion taught me. But in grade school I learned that those who expressed themselves most freely usually got into trouble. I looked forward to college where I imagined the restrictions of childhood would end and I would be able to express my conservative ideas freely, especially since I grew up in a liberal household where my ideas were not tolerated.

But now that I am in college, I am told not to dislike certain behavior because that would be intolerant, not to speak of traditional values because that would be closed-minded, and never to say the United States is correct since that would be ignorant. Same old restrictions, but this time I am an adult and the people telling me what to do also hypocritically speak so highly of freedom: college professors. Once again, thanks for Mr. Tennyson's article.

David Knatcal, chairman
California Students for America
Los Angeles

Staffers Falsely Accused

I don't see anything in this publication (or anybody writing for it) who is in a position to relate to California conservatives. You all look like a bunch of transplanted Eastern seaboard types.

Jim Bald
Assembly Republican Caucus Staff
Sacramento

Mr. Bald's no doubt normally keen analytical eye perhaps suffers momentarily from the strain of his high responsibilities. CPR's editor has lived in California since 1957. Three other senior CPR staffers were born here. Our editorial and contributor corps includes a writer with three years editorial-writing experience for major California daily newspapers, two members of UCLA's tenured faculty with 63 years cumulative experience teaching and writing in and about California, and one contributor whose full-time job is directing a research project concerned solely with California politics and policy. In any event, Mr. Bald seems to think conservatism is more a matter of shared geography than shared ideas. We disagree.

Editor CPR

Johnson

(Continued from page 7)

will be a further petition probably to the U.S. Supreme Court. If Harris does not in the end prevail and does not get a new hearing on the merits or a new trial there will still be a delay probably measured in years before he could be executed.

***CPR**: Why, when he was so close?*

Johnson: Because of delays at each step of the hearing process and then the trial court sets a new date of execution. There's just a lot of slippage of time between each of these steps.

CPR: But if the panel and then the full Ninth Circuit and the Supreme Court all rule against Harris's appeal, could that not be completed in a matter of months?

Johnson: It is conceiveable, but it would be unusually rushed and would indicate that the courts in question were making a determined effort to avoid any delay. It's a problem in principle; if we're going to have a death penalty, we have to have a set of procedures that permit it to be carried out. But at the moment we have the penalty and we don't have agreement on the procedures. That's what's now being debated in Washington in the Judicial Conference of the United States.

***CPR**: That is the real battle, is it not? Individual cases such as* Harris *won't change the system. Where is the power to stop lawyers from using procedure to make laws unenforceable?*

Johnson: Chief Justice Rehnquist, on behalf of the United States Judicial Conference, has submitted a plan to the Congress for legislation which would greatly restrict the opportunities for multiple federal *habeas corpus* review, that is, for repeated hearings of the kind that we have had in *Harris*. That proposed legislation is being very energetically resisted of course by death penalty opponents and by the prestige newspapers such as the *New York Times*. CPR

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will be a further petition probably to the U.S. Supreme Court. If Harris does not in the end prevail and does not get a new hearing on the merits or a new trial there will still be a delay probably measured in years before he could be executed.

***CPR**: Why, when he was so close?*

Johnson: Because of delays at each step of the hearing process and then the trial court sets a new date of execution. There's just a lot of slippage of time between each of these steps.

CPR: But if the panel and then the full Ninth Circuit and the Supreme Court all rule against Harris's appeal, could that not be completed in a matter of months?

Johnson: It is conceiveable, but it would be unusually rushed and would indicate that the courts in question were making a determined effort to avoid any delay. It's a problem in principle; if we're going to have a death penalty, we have to have a set of procedures that permit it to be carried out. But at the moment we have the penalty and we don't have agreement on the procedures. That's what's now being debated in Washington in the Judicial Conference of the United States.

***CPR**: That is the real battle, is it not? Individual cases such as* Harris *won't change the system. Where is the power to stop lawyers from using procedure to make laws unenforceable?*

Johnson: Chief Justice Rehnquist, on behalf of the United States Judicial Conference, has submitted a plan to the Congress for legislation which would greatly restrict the opportunities for multiple federal *habeas corpus* review, that is, for repeated hearings of the kind that we have had in *Harris*. That proposed legislation is being very energetically resisted of course by death penalty opponents and by the prestige newspapers such as the *New York Times*. CPR

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Worth Repeating

After Civil Rights

by Walter E. Williams

The modern part of the black civil rights movement started with the *Brown v. Board of Education* case in 1954. Looking back, it was important to end legalized school segregation and discriminatory school financing. After all, education is one of the most important ingredients for upward socioeconomic mobility. It was also important to attack the harmful educational discriminatory policy engineered by whites in their roles as mayors, school superintendents, and principals.

It is now some 36 years later. We have experienced the promise of busing. We have fought valiantly and won positions as mayors in eight out of 12 major cities and hold key management positions in many others. In many cities, blacks are school superintendents, hold prominent positions on school boards, are school principals, and are widely represented among teachers, counselors, and consultants.

Now the question is: who is prepared to stand up and say that black education today is anything near what those who fought and won the *Brown* struggle in 1954 thought it might have been in 1990? In fact, if anything, black education may be worse. In 1954, I graduated from Benjamin Franklin, Philadelphia's worst high school. Neither I nor kids who are now grown who went to school with me can remember knowing of other kids our age who could not read or fill out a job application form. In 1954, and all before, Philadelphia's mayor was white, its superintendent was white, all school principals were white, and only three times, in 12 years of schooling, did I have a black teacher. Today, in Philadelphia, the mayor, the school superintendent, principals, and most teachers are black. With blacks running schools, black education is worse than when whites ran it.

I am not here to assess blame. My modest agenda is to try to get people to change the way we think about the problems black people face today. I am trying to get people who really care to consider that the problems black people face today are, for the most part, not civil rights problems. As I see it, the civil rights struggle is over and won. Blacks have the same constitutional protections as whites.

Excerpted from remarks made by Walter E. Williams, economics professor at George Mason University, at the "Second Thoughts About Race in America" conference on May 3, 1990, in Washington, D.C., organized by the National Forum Foundation. Full conference transcripts will be available in July. Contact James Denton, president, NFF, 107 2nd St., N.E., Washington, D.C. 20002, 202/543-3515.

Let me continue with education for a moment longer. If we continue to think of black educational problems as a civil rights issue, we will continue with policies like busing and integration, trying to get more money for public schools, college affirmative action programs for young blacks who cannot meet traditional academic entry requirements, and banning employment tests.

Seeing black miseducation as something cooked up by white racists will allow us to ignore the self-induced, day-to-day destruction of our youngsters at the primary and secondary levels, in the home, and in the neighborhoods. Allow me to be a bit more specific by listing activities not conducive to acquiring a good education, but often routine in predominantly black schools and homes. There is widespread assault, which includes rape and murder, gross property destruction, high rates of absenteeism and dropout, many incompetent and poorly motivated teachers, poor learning attitudes, and lack of school reinforcement in the home.

These activities are educationally devastating; yet none of them can be ameliorated by civil rights strategy. Moreover, as long as we assume that the major blame for the tragic state of black education is the lack of civil rights, we can expect to perpetuate this tragic status quo.

My discussion has focused on education just for concreteness, but similar thinking applies to other major problems black people face. Crime takes a devastating toll in black neighborhoods and blacks are both the victims and the perpetrators. The human cost, borne by those who are raped, mugged, assaulted, burglarized, and murdered, is tragic in and of itself. But there are other costs. The high crime rate makes black neighborhoods inhospitable places to conduct business. Black businessmen find that getting loans and insurance is a costly, if not impossible, proposition. Fewer business opportunities mean fewer local employment opportunities....

Again, if we view crime as caused by poverty and discrimination, a civil rights problem, poor blacks are doomed to the status quo in perpetuity. It is like saying that a few blacks shall be allowed to terrorize the many until white people decide to act right. I am always struck by those who put the crime problem in black neighborhoods at the doopstep of racism and poverty. Such an explanation cannot explain why black nieghborhoods were far more civil and economically robust in the '30s, '40s, and '50s, at a time when blacks were much poorer and before we had basic civil rights. Such an observation should tell us that racism and poverty cannot be the full explanation for what we see today.

The civil rights struggle has yielded great fruits for most blacks who find our lives the envy of our grandparents. But for a large, and increasing, number of blacks upward mobility remains elusive, even though they have civil rights. They have been made, or have become, immune to the traditional routes out of poverty: a robust economy such as that experienced over the last seven years, and educational opportunity. They will remain so as long as we, who should know better, continue to view the problem as one of civil rights. CPR

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